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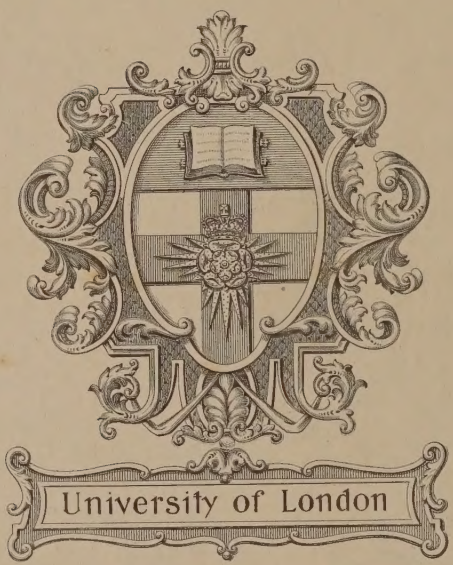
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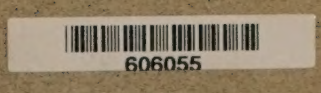
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ACCOUNTS AND PAPERS:

THIRTY-EIGHT VOLUMES.

—(11.)—

COLONIES AND BRITISH POSSESSIONS.

Session

5 February —— 21 *August* 1867.

VOL. XLIX.

1867.

ACCOUNTS AND PAPERS:

THIRTY-EIGHT VOLUMES.

VOL. XLIX.

ACCOUNTS AND PAPERS

1867.

THIRTY-EIGHT VOLUMES:—CONTENTS OF THE

ELEVENTH VOLUME.

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COLONIAL GOVERNORS AND BISHOPS.

(*Corrected to February* 1868.)

"RETURNS of the Names of all GOVERNORS, LIEUTENANT GOVERNORS, and Persons administering the Governments of the different COLONIES; stating their Salaries in British Money, the Dates of their Appointments, the Countries or Districts over which they preside, distinguishing those who serve in the Army and Navy:"

"And, of the NAMES of COLONIAL BISHOPS; stating the Salaries of each, so far as known to the Colonial Department."

(PRESENTED TO PARLIAMENT BY HER MAJESTY'S COMMAND.)

Ordered, by The House of Commons, *to be Printed,*
21 *August* 1867.

1868.

RETURN of the NAMES of all GOVERNORS, LIEUTENANT GOVERNORS, and Persons administering the Governments of the different Colonies, stating their SALARIES, in British Money, the DATES of their APPOINTMENTS, the PLACES of their RESIDENCE, and the COUNTRIES or DISTRICTS over which they preside, distinguishing those who serve in the Army and Navy.

(*Corrected to February* 1868.)

COLONY.	OFFICE.	NAME.	Date of Appointment.	Date of Assumption of Government.	Place of Residence.	Salary.	Whether in Army or Navy.	Amount of Military Pay or Allowances.
NORTH AMERICA:						£.		
DOMINION OF CANADA.	Governor General, from 1 July 1867.	The Right Honourable Viscount Monck.	2 Oct. 1861. Date of last Appointment, 1 July 1867	25 Oct. 1861	Ottawa - -	10,000		
PRINCE EDWARD ISLAND.	Lieutenant Governor -	George Dundas, Esq. - -	7 Jan. 1859	7 June 1859	Charlotte Town	1,500		
NEWFOUNDLAND -	Governor and Commander in Chief.	Anthony Musgrave, Esq. -	29 Aug. 1864	5 Oct. 1864	St. John - -	2,000		
BERMUDA - -	Governor and Commander in Chief.	Colonel Sir Frederick Edward Chapman, R.E., K.C.B.	27 Mar. 1867	30 April 1867	St. George's -	2,746	Colonel in the Army, Lieut. Colonel of Royal Engineers.	17 *s.* 11 *d.* a day as Lieutenant Colonel in Royal Engineers.
BRITISH COLUMBIA	Governor and Commander in Chief.	Frederick Seymour, Esq. -	11 Jan. 1864	20 April 1864	New Westminster	4,000		
WEST INDIES:								
JAMAICA - -	Captain General and Governor in Chief.	Sir John Peter Grant, K.C.B. -	16 July 1866	6 Aug. 1866	Spanish Town -	7,000		
TURKS AND CAICOS ISLANDS.	President of the Council of Government.	Alexander Wilson Moir, Esq. -	4 Aug. 1862	9 Nov. 1862	Grand Turk -	800		
BRITISH HONDURAS	Lieutenant Governor -	James Robert Longden, Esq. -	14 Sept. 1867	31 Oct. 1867	Belize - -	1,800		

Bahamas - -	Governor and Commander in Chief.	Rawson William Rawson, C. B.	10 Nov. 1864	9 Dec. 1864	Nassau - -	3,000	
Barbados and Windward Islands.	Governor and Commander in Chief.	James Walker, C. B. - -	9 Dec. 1861	4 Jan. 1862	Bridgetown -	4,000	
St. Vincent -	Lieutenant Governor -	George Berkeley, Esq. - -	8 July 1864	4 Sept. 1864	Kingstown -	1,300	
Grenada - -	Lieutenant Governor -	Major Robert Miller Mundy, R. A.	11 Sept. 1863	21 Jan. 1864	St. George -	1,300	
Tobago - -	Lieutenant Governor -	Cornelius Hendericksen Kortright, Esq.	4 June 1864	7 Jan. 1865	Scarborough -	1,300	
St. Lucia - -	Administrator of the Government.	James Mayer Grant, Esq. -	12 Mar. 1862	16 May 1862	Castries - -	700	
Antigua and Leeward Islands.	Governor and Commander in Chief.	Colonel Stephen John Hill, C. B.	7 Feb. 1863	5 Mar. 1863	St. John's -	3,000	
Montserrat -	President and Senior Member of the Council administering the Government.	William Rowland Pyne, Esq.	25 May 1867	– July 1867	Plymouth -	500	
St. Christopher -	Lieutenant Governor -	Captain James George Mackenzie, R. N.	3 Dec. 1866	20 Mar. 1867	Basseterre -	1,300 (*a*)	Captain in the Royal Navy, on the Retired List.
Nevis - - -	Lieutenant Governor -	- - ditto - - - - -		1 April 1867			
Virgin Islands -	President and Senior Member of the Council administering the Government.	Sir Carlo Arthur Henry Rumbold, Bart.	8 Nov. 1865	– Dec. 1865	Tortola - -	800	
Dominica - -	Lieutenant Governor -	Vacant - - - - - -	- -	- -	Roseau - -	1,300	
British Guiana -	Governor and Commander in Chief.	Francis Hincks, C. B. - -	9 Dec. 1861	7 Jan. 1862	Georgetown -	5,000	
Trinidad - -	Governor and Commander in Chief.	The Hon. Arthur Hamilton Gordon, C. M. G.	11 June 1866	9 Nov. 1866	Port of Spain -	3,500	

(*a*) And 60 *l.* travelling allowance.

RETURN of the Names of all Governors, Lieutenant Governors, and Persons administering the Governments of the different Colonies, stating their Salaries, &c.—*continued.*

COLONY.	OFFICE.	NAME.	Date of Appointment.	Date of Assumption of Government.	Place of Residence.	Salary.	Whether in Army or Navy.	Amount of Military Pay or Allowances.
						£.		
MEDITERRANEAN AND AFRICAN POSSESSIONS:								
GIBRALTAR - -	Governor and Commander in Chief.	Lieut. General Sir Richard Airey, G.C.B.	— Sept. 1865	— Nov. 1865	In Fortress -	5,000	Lieut. General in the army, Colonel of the 17th Foot.	1,000 *l.*
MALTA - - -	Governor and Commander in Chief.	Lieut. General Sir Patrick Grant, G.C.B.	7 June 1867	15 May 1867	Valetta - -	4,500	Lieut. General in the army, Colonel of the 78th Foot.	1,000 *l.*
CAPE OF GOOD HOPE	Governor and Commander in Chief.	Sir Philip Edmond Wodehouse, K.C.B.	2 Nov. 1861	15 Jan. 1862	Cape Town -	5,000		
	Lieutenant Governor -	Lieut. General Sir Robert Percy Douglas, Bart.	4 July 1864	- -	Graham's Town	1,000	Lieut. General in the army, and Colonel 98th Foot.	1,000 *l.*
NATAL - - -	Lieutenant Governor -	Robert William Keate, Esq. -	18 Feb. 1867	27 May 1867	Pieter-Maritzburgh	2,500		
ST. HELENA - -	Governor and Commander in Chief.	Admiral Sir Charles Elliot, K.C.B.	15 May 1863	3 July 1863	James Town -	2,000	Admiral in the Royal Navy, on the Reserved List.	
WEST AFRICA SETTLEMENTS AND SIERRA LEONE.	Governor and Commander in Chief.	Sir Arthur Edward Kennedy, C.B.	13 Jan. 1868	8 Feb. 1868	Freetown -	3,000 (*a*)		
GAMBIA - - -	Administrator of the Government.	Rear Admiral Charles George Edward Patey.	19 Oct. 1866	- -	Bathurst, St. Mary's.	1,300	Rear Admiral in the Royal Navy.	
GOLD COAST - -	Administrator of the Government.	Herbert Taylor Ussher, Esq. -	20 July 1867	- -	Cape Coast Castle	1,300		
LAGOS - - -	Administrator of the Government.	Commander John Hawley Glover, R.N.	19 Oct. 1866	- -	Lagos - -	1,300 (*b*)	Commander in the Royal Navy.	

AUSTRALIAN POSSESSIONS:							
New South Wales	Governor and Commander in Chief.	The Right Hon. the Earl of Belmore.	19 Aug. 1867	- -	Sydney - -	7,000	
Queensland - -	Captain General and Governor in Chief.	Colonel Samuel Wensley Blackall.	- -	- -	Brisbane - -	4,000	
Tasmania - -	Captain General and Governor in Chief.	Colonel T. Gore Browne, C.B.	14 Sept. 1861	11 Dec. 1861	Hobart Town -	4,000(*c*)	
South Australia -	Captain General and Governor in Chief.	Sir Dominick Daly, Knt. -	2 Nov. 1861	4 Mar. 1862	Adelaide - -	5,000	
Victoria - -	Governor and Commander in Chief.	The Honourable Sir J. H. T. Manners Sutton, K.C.B.	23 May 1866	15 Aug. 1866	Melbourne -	10,000	
Western Australia	Governor and Commander in Chief.	John Stephen Hampton, Esq.	2 Nov. 1861	28 Feb. 1862	Perth - - -	1,800	
New Zealand -	Governor and Commander in Chief.	Sir George Ferguson Bowen, G.C.M.G.	14 Nov. 1867	-	Auckland -	4,500	
EASTERN COLONIES, FALKLAND ISLANDS, AND HELIGOLAND:							
Mauritius - -	Governor and Commander in Chief.	Sir Henry Barkly, K.C.B. -	15 May 1863	3 Dec. 1863	Port Louis -	7,000	
Ceylon - - -	Governor and Commander in Chief.	Sir Hercules George Robert Robinson, Knt.	21 Jan. 1865	- -	Colombo - -	7,000	
Hong Kong - -	Governor and Commander in Chief.	Sir Richard Graves MacDonnell, C.B., Knt.	14 Oct. 1865	14 Mar. 1866	Victoria - -	5,000	
Labuan - - -	Governor and Commander in Chief.	John Pope Hennessy, Esq. -	10 Sept. 1867	- -	Labuan - -	800(*d*)	
Straits Settlements; and Singapore - -	Governor and Commander in Chief.	Colonel Sir Harry St. George Ord, R.E., C.B.	5 Feb. 1867	1 April 1867	- - -	5,000	Colonel in the Army, Lieut. Colonel of Royal Engineers. (*e*)
Penang or Prince of Wales' Island.	Lieutenant Governor -	Lieut. Colonel Archibald Edward Harbord Anson, R.A.	20 Feb. 1867	— June 1867	- - -	1,800	Lieut. Colonel in the Royal Artillery.
Malacca - -	Lieutenant Governor -	William Wellington Cairns, Esq.	20 Feb. 1867	- -	- - -	1,200	
Falkland Islands -	Governor and Commander in Chief	William Cleaver Francis Robinson, Esq.	23 May 1866	- -	Stanley - -	900	
Heligoland - -	Governor and Commander in Chief.	Lieut. Col. Henry Fitzharding Berkeley Maxse.	13 May 1863	2 June 1863	In the Town -	500	On half-pay, as Major unattached, at 9*s.* 6*d.* a-day.

(*a*) Receives an allowance of 500 *l.* a year. (*b*) Receives also a salary of 500 *l.* as Consul.
(*c*) An allowance of 2,500 *l.* has been granted for contingent expenses of Governor's establishment, under a local Act, which has been confirmed by the Queen.
(*d*) Receives also a salary of 200 *l.* as Consul of Brunei. (*e*) On the Seconded List. Does not draw regimental pay.

A RETURN of the NAMES of COLONIAL BISHOPS, stating the Salaries of each, so far as known to the Colonial Department.

Note.—The list of Colonial Bishops is made up without reference to the effect of the recent decision of the Judicial Committee in the case of the Bishop of Natal.

NAME OF BISHOP.	Diocese.	Salary, and from what Source Derived.*
James William Williams -	Quebec (Canada) -	2,000 dollars a year from a fund created by the investment of a portion of the commutation money received in respect of certain life interests in the Clergy Reserves when these were resumed.
Francis Fulford - - -	Montreal (Metropolitan) (Canada).	1,000*l.* per annum from investments in Canada.
A. N. Bethune - - -	Toronto (Canada) -	The income of the Bishop is 1,250*l.* sterling, derived from the Clergy Commutation Fund, of which the Church Society of the Diocese are the trustees and managers.
John Travers Lewis - -	Ontario (Canada) -	The interest of 10,000*l.*, raised by voluntary subscription, and 400*l.* per annum (at the death of the Bishop of Toronto, or 1st January 1870, which ever shall first happen), payable from the Commutation Fund of the Diocese of Ontario.
Benjamin Cronyn - - -	Huron (Canada West)	The income of the Bishop of Huron is 600*l.*, provincial currency, per annum, derived from an Episcopal Fund, which was formed by investing subscriptions received from individuals in Canada, and grants from the Society for the Propagation of the Gospel, and the Society for the Promotion of Christian Knowledge, and the Canada Company.
Hibbert Binney - - -	Nova Scotia and Prince Edward Island.	510*l.*, interest of 8,500*l.*, placed by the Society for the Propagation of the Gospel in hands of trustees, invested in Nova Scotian Debentures; 120*l.*, interest of 2,000*l.*, granted by the Society for the Promotion of Christian Knowledge, invested by the same trustees on mortgage in Nova Scotia; 219*l.*, interest of Trust Fund paid by the Society for the Propagation of the Gospel to present Bishop, but not appropriated to diocese; and, 100*l.*, interest of money subscribed in Nova Scotia and Prince Edward Island towards endowment of See.
John Medley - - - -	Fredericton (New Brunswick).	1,000*l.* per annum; Colonial Bishopries' Fund.
Edward Feild - - - -	Newfoundland -	1,200 - - { 300*l.* Parliamentary Vote, as Archdeacon of Newfoundland. 200*l.* Parliamentary Vote } as Archdeacon of 200*l.* Colonial Funds - } Bermuda. 500*l.* from Society for the Propagation of the Gospel, as Bishop of Newfoundland.
James Butler Knill Kelly -	Consecrated for the performance of Episcopal functions in Newfoundland.	[No official information.]
George Hills - - - -	Columbia (British Columbia).	Revenue of Bishopric derived from a capital sum of 15,000*l.*, the benefaction of Miss Burdett-Coutts, now invested in the Colony, viz:—
		In land, including 1,000*l.* expended in providing residence. £. 10,000
		On mortgage - - - - - - - 5,000
		£. 15,000
		Investments are made in the name of the Bishop and successors (officially), according to the provisions of the Letters Patent.
Robert Machray - - -	Rupert's Land - -	[No official information.]
Aubrey George Spencer - -	Jamaica - - -	1,400*l.*; Imperial Treasury. [Extracted from Blue Book.]
Reginald Courtenay (Bishop Coadjutor).	Kingston - -	2,000*l.*; Imperial Treasury. [Ditto.]
Addington Robt. Peel Venables	Nassau (Bahamas) -	The income attached to the Bishopric of Nassau is 1,000*l.* per annum, payable out of the Consolidated Fund; and from Colonial Funds, 80*l.* a year for a residence, and 45*l.* for travelling expenses in visiting the out-islands.

* The information contained in this column is taken from a Return presented to Parliament, 22 March 1867 (No. 307), unless otherwise stated.

RETURN of the Names of Colonial Bishops, stating the Salaries of each, &c.—*continued.*

NAME OF BISHOP.	Diocese.	Salary, and from what Source Derived.
Thomas Parry - - -	Barbados - -	The annual salary of the Bishop of Barbados is two thousand five hundred pounds sterling (2,500 *l.*), paid out of the Consolidated Fund.
William Walrond Jackson -	Antigua - - -	The revenue of the Bishop of Antigua is 2,000 *l.* per annum, derived from the Consolidated Fund.
William Piercy Austin - -	Guiana (British Guiana)	The salary of the Bishop is 2,000 *l.* per annum, and is paid out of the Consolidated Fund.
Frederic Barker - - -	Sydney (New South Wales).	1,500 *l.* from the Public Worship Fund granted in Schedule C. of the Constitution Act, 18 & 19 Vict. c. 54, and 500 *l.* from glebe lands secured by Act of the Colonial Legislature to the Bishop and his successors for ever.
Edward Wyndham Tufnell -	Brisbane (Queensland)	£. s. d. 1. Grant from Colonial Bishoprics' Fund - 5,000 – – 2. Further grant from ditto - - - - 1,000 – – 3. Amount collected by the Bishop in England before 1860 - - - - - 1,523 – – 4. Amount collected in Queensland - - 2,211 2 – TOTAL - - £. 9,734 2 –
Charles Perry - - -	Melbourne (Victoria)	1,000 *l.*, part of grant from Colonial Treasury, under the Constitution Act, in aid of Public Worship. 333 *l.* 6 *s.* 8 *d.*, rent of property purchased by money granted by the Council of the Colonial Bishoprics' Fund.
William Tyrrell - - -	Newcastle (New South Wales).	The endowment of the Bishopric is a sum of 20,300 *l.* at present in the hands of the Bishop, of which 6,000 *l.* was raised by contributions in England, and the remaining 14,300 *l.* was contributed in the diocese, mainly by the Bishop and his family.
Mesac Thomas - - -	Goulburn (New South Wales).	The revenues of the Bishopric of Goulburn are as follows: £. s. d. From land given for the endowment of the See: (1.) By the late R. Campbell, Esq., of Sydney; (2.) Joseph Bull, Esq., of Goulburn; (3.) and C. Campbell, Esq., of Sydney; and producing at present an annual income of - - - - - 190 – – The first is situate at Tarradale, about 20 miles from Goulburn, and is mainly uninclosed bush land, containing upwards of 2,400 acres; the second is a farm of 100 acres at Collector, the third is a farm of 100 acres near to Queanbeyan, 60 miles from Goulburn. From an annual charge upon the Bishopthorpe Estate, Sydney, made by the Bishop of Sydney, with the consent of the Colonial Government - - - - - - 100 – – From the interest of money collected in the Colony, chiefly by F. R. L. Rossi, Esq., of Rossiville, near Goulburn, viz. the sum of 7,212 *l.*, and producing an annual income of 489 16 – From the interest of 1,000 *l.* voted by the Society for Promoting Christian Knowledge, London, invested in the Colony - 80 – – From the interest of 1,000 *l.* voted by the Society for the Propagation of the Gospel in Foreign Parts (retained for the present by the Colonial Bishops' Council, London) 48 15 – From the interest of 1,288 *l.* subscribed in England by the friends of the Bishop of Goulburn - - - - - - 90 3 – 998 14 – Deduct,—House-rent until an Episcopal Residence can be provided - - 120 – – NET INCOME - - £. 878 14 – Besides the above, the Government of the Colony have granted 20 acres of land for the Bishop's residence, and F. R. L. Rossi, Esq., has given 153 acres of land for the same purpose. These are about two miles from Goulburn, and contiguous to each other.

RETURN of the Names of Colonial Bishops, stating the Salaries of each, &c.—*continued.*

NAME OF BISHOP.	Diocese.	Salary, and from what Source Derived.
William Collinson Sawyer -	Consecrated for the performance of Episcopal functions in New South Wales.	[No official information.]
Augustus Short - - -	Adelaide (South Australia).	The revenues of the Bishopric are derived from investments in land and mortgages, made from funds placed at the disposal of the Committee of Bishops and others appointed for the endowment of Colonial Sees.
Charles Henry Bromby - -	Tasmania - -	700 *l.* per annum, being the amount fixed by the Synod, and paid out of that portion of the reserve for Public Worship which is assigned by law to the Synod; also, the profits of a glebe granted by the Crown, and of an estate purchased with a sum of 5,000 *l.* given by the Trustees of the Colonial Bishopric' Fund.
Mathew Blagden Hale - -	Perth (Western Australia).	Interest on 5,000 *l.* subscribed by the Society for Promoting Christian Knowledge and the Society for the Propagation of the Gospel in Foreign Parts. This money is invested in South Australia. The income from it is about 450 *l.* per annum. The Bishop of Adelaide is sole trustee for the same. A sum of 1,750 *l.* arising from land surrendered in aid of a stipend for the Bishop by persons in Western Australia, and purchased by the local Government.
George Augustus Selwyn -	New Zealand - -	Salary of 600 *l.* per annum voted annually by the Church Missionary Society, until the consecration of the Bishop of Waiapu in 1859. At that time the two salaries of the Bishop of New Zealand and Ven. Archdeacon Williams (600 *l.* and 200 *l.*) were divided equally between the two Bishops, yielding 400 *l.* per annum to each. Landed endowments in the Diocese of New Zealand, divisible among all the Bishops in New Zealand, bring up the three Bishoprics of New Zealand, Wellington, and Waiapu to an equal income of 480 *l.* per annum each.
Charles John Abraham - -	Wellington (New Zealand).	
William Williams - - -	Waiapu (New Zealand)	
Andrew Burn Suter - -	Consecrated for the performance of Episcopal functions in New Zealand.	
Henry John Chitty Harper -	Christ Church (New Zealand).	
Henry Lascelles Jenner - -	Consecrated for the performance of Episcopal functions in New Zealand.	
Robert Gray - - - -	Cape Town (Cape of Good Hope).	The sum of 438 *l.* is payable annually to the Bishop of Cape Town by the Colonial Bishoprics' Trustees. He receives also the interest on 5,050 *l.* invested in the Colony, as well as travelling allowances to the amount of 400 *l.* per annum, paid out of the Colonial Revenue.
Henry Cotterill - - -	Graham's Town (Cape of Good Hope).	The Bishop of Graham's Town receives about 1,000 *l.* per annum as the interest on money invested in Colonial Securities.
John William Colenso - -	Natal (Cape of Good Hope).	[No official information.]
Piers Calveley Claughton -	Colombo (Ceylon) -	The salary of the Bishop is 2,000 *l.* a year, and he is entitled to an allowance, when travelling, of 2 *l.* 5 *s.* a day, but the total amount to be drawn on this account during any year is limited to 500 *l.* These amounts are paid from Colonial Funds.
Charles Richard Alford - -	Victoria (Hong Kong)	The revenue of the Bishopric is 1,000 *l.* à year, and derived from the Colonial Bishoprics' Fund.
Francis Thomas M'Dougall -	Labuan (Borneo) -	The income of the Bishop amounts to 660 *l.*, and is derived from the interest of 9,000 *l.* in the Colonial Bishoprics' Fund, producing 360 *l.*, and a grant of 300 *l.* annually from the Society for the Propagation of the Gospel.
Vincent William Ryan - -	Mauritius - -	720 *l.*, and 100 *l.* for travelling allowance, from the revenues of the Colony. [Extracted from the Blue Book.]
Edward Hyndman Beckles -	Sierra Leone - -	500 *l.*; Colonial Funds; and 402 *l.* Colonial Bishoprics Fund. [Extracted from the Blue Book.]
Thomas Earle Welby - -	St. Helena - -	This Bishopric is endowed with a residence, and an income of 280 *l.* a year, arising from the interest of a sum of money raised partly by contributions of the inhabitants of St. Helena, partly by the Bishop of Cape Town, and partly by a grant from the Colonial Bishoprics' Fund. The above income is supplemented by this Government with 500 *l.* a year, the salary attached to the Colonial Chaplaincy, which office is held with the Bishopric.
Vacant - - - -	Gibraltar - -	The revenue of the See is 1,200 *l.* a year, paid by the Trustees of the Colonial Bishoprics' Fund.

COLONIAL GOVERNORS AND BISHOPS.

(*Corrected to February* 1868.)

RETURN of the Names of all GOVERNORS, LIEUTENANT GOVERNORS, and Persons administering the Governments of the different COLONIES; stating their Salaries, Dates of their Appointments, Countries or Districts over which they preside, &c.: also, a RETURN of the NAMES of COLONIAL BISHOPS; stating the Salaries of each, so far as known to the Colonial Department.

(*Presented to Parliament by Her Majesty's Command.*)

Ordered, by The House of Commons, *to be Printed,*
21 *August* 1867.

575. *Under* 1 *oz.*

ANNUAL REPORTS ON THE CONVICT ESTABLISHMENTS

AT

WESTERN AUSTRALIA

AND

TASMANIA.

Presented to both Houses of Parliament by Command of Her Majesty.
May 1867.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1867.

18936.

3851

SCHEDULE.

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ANNUAL REPORTS ON THE CONVICT ESTABLISHMENTS AT WESTERN AUSTRALIA AND TASMANIA.

WESTERN AUSTRALIA.

No. 1. No. 1.

Copy of a DESPATCH from Governor HAMPTON to the Right Honourable the Earl of CARNARVON.

(No. 39.)

MY LORD, Government House, Perth, February 21, 1867.

I HAVE the honour to forward herewith the Acting Comptroller-General's Report on the Convict Department for the year 1866.

2. The Acting Comptroller-General exhibits laudable forbearance in noticing as little as possible the defective state in which the department was handed over to his charge, and becoming reserve with reference to his unremitting exertions to render it efficient.

3. The clear and methodical report now transmitted leaves in general no room for any comment from me, beyond an expression of my entire concurrence with all that is therein stated, but I deem it right to make a few brief remarks on some of the points alluded to.

4. The facts reported as to the general good conduct of the convicts so widely dispersed on public works and in private service are highly interesting, and show some of the good results which invariably arise amongst criminals from being placed under the influence of hopeful new circumstances.

5. The vigorous steps taken for the suppression of absconding have been so effective that the alarm prevailing some time ago amongst the settlers with reference to runaway convicts has nearly died out.

6. The evils connected with paying gratuities to convicts discharged on tickets of leave are not overstated, yet, as this is the last year of transportation to Western Australia, and all the probation men in the hands of the Government have been led to expect such gratuities, I am not prepared to recommend that any change should be made in the existing rules.

7. It would be difficult to over-estimate either the benefit that has accrued from the transfer of the Comptroller-General's office to Perth, or the improvement which has taken place in carrying on the business of that office.

8. I have nothing to add at present to the recent reports I have made on the duties and position of the Church of England chaplains.

9. The suggestion as to forage allowance for officers is fair and reasonable, and, in my opinion, deserving of your Lordship's favourable consideration.

10. The alterations and omissions now adopted in the useless annual returns, &c., previously transmitted are very judicious, and meet with my entire approval.

11. The very satisfactory details regarding the works executed by convicts are not in the slightest degree exaggerated. The complaints of the settlers with reference to such works, so universal for years prior to my arrival in the Colony, have almost wholly ceased, a result peculiarly agreeable to me, seeing that I have retained the direction of this part of the service entirely in my own hands, and regulated the appropriation of all the convict labour without the assistance of any officer in general charge of public works.

12. The great importance of the proper disposal of convict labour during the last year of transportation induced me recently to visit nearly all the settled districts for the purpose of ascertaining what public works are most urgently required throughout the Colony, and I have made arrangements on this point which I have reason to believe will give general satisfaction.

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13. Although I am precluded by peculiar circumstances from now doing full justice to the zeal and ability displayed by the Acting Comptroller-General in his judicious management of the Convict Department, I cannot conclude without assuring your Lordship that he has thoroughly vindicated my selection of him for a difficult and disagreeable provisional appointment, reluctantly accepted by him solely in compliance with my wishes, and because he was well aware that there was no other way in which I could then be relieved from unduly harassing anxiety with reference to the convict branch of this Government.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c.

(Signed) J. S. HAMPTON, Governor.

Encl. in No. 1.

Enclosure in No. 1.

SIR, Comptroller-General's Office, Perth, January 31, 1867.

I HAVE the honour to submit to your Excellency the following report on the Convict Department for the year 1866.

The special circumstances under which I was appointed to the temporary charge of the department in May last render it undesirable that I should enter so much into detail as I would wish. There are, as your Excellency is aware, many subjects which ought properly to be brought prominently forward, but I could not notice them without appearing to comment unfavourably on the proceedings of others. While, therefore, the statistical matter will embrace the whole year, I shall, as far as possible, confine the report on general measures to the period for which I have been in charge, avoiding reference to former arrangements in every instance where it is practicable to do so.

The number of men maintained by the Imperial Government on the 31st ult. was 1,897, of whom 1,695 were convicts on probation and reconvicted ticket-of-leave holders, and 67 ticket-of-leave holders out of employment, or a total of 1,762 engaged on public works; while 23 were lunatics, 37 invalids, and 75 in hospital. There were at the same date 1,442 ticket-of-leave holders in private service or otherwise earning their own livelihood. The total number of convicts, including conditional-release holders, was 3,305.

143 conditional pardons, 10 conditional releases, 38 certificates of freedom, and 1 free pardon have been issued during the year. The number of deaths, exclusive of executions, has been 50.

Two convict ships arrived from England, the "Belgravia" and the "Corona," with 580 men. In the case of the latter ship the labour available for public works will not be so great as might be expected, since some of the men were eligible by time for discharge to ticket-of-leave prior to their arrival, and several immediately after. There are also some old men, one being 60 years of age.

The men on public works have been distributed throughout the districts of the Colony from Champion Bay to the north to Albany at the south, a distance of 530 miles. When it is considered that the great proportion of these men are stationed in the bush in parties under the charge of a single officer, the general conduct and amount of work done is very satisfactory.

There has been but little offence of a serious character during the year, and it is a matter of universal satisfaction that offence against women, so much dreaded some years ago, is almost unknown. It is seldom that there is a complaint even of objectionable language being used towards them. When the unprotected state of the settlers' houses is considered, this must be regarded as most satisfactory.

Three convicts have been executed, two for murdering, in 1865, an expiree who had harboured them while at large, and one for an assault upon an officer. Another convict, a ticket-of-leave holder, was sentenced to death for the murder of a man of his own class, but the sentence was commuted.

There have been eight cases of assault upon prison officers, and three of robbery under arms.

For some months the offence of absconding was of constant occurrence. It has always been observed that in Western Australia this misconduct takes almost the form of an epidemic. For months there will be scarcely a case, and then the escape of two or three men will be followed by dozens of attempts. Except in two cases, the men have been but a short time away; and in one of these, where the man is still at large, the absconder had been captured, but escaped again from the police escort. This offence of absconding has been met by sentences to long periods of servitude in heavy irons in the chain gang, established some years ago at Fremantle; while, in aggravated cases, detention in dark cells on bread and water, under strict medical observation, has been added. This latter punishment is much dreaded by the men, and has acted as a preventive amongst many who have undergone every other form of punishment without the least good effect. Even the most reckless and defiant shrink from it. The effect is greater in this Colony than in places where there are regular prisons, as the men have generally been accustomed to rough, open air life in the bush.

Ordinary separate confinement is almost unknown, all available labour being put on public works.

There has further been established during the last six months a gang for inveterate absconders, who are kept within the walls of the prison at Fremantle, and never allowed to pass the gates. When these men have served the period in irons to which they were sentenced they are found some employment about the workshops or prison. As few of them are mechanics there is a loss of their labour to the Colony.

There have been some cases of flogging, but that punishment has only been resorted to in extreme cases where, while a man's offence was heavy, the length of time he had to serve, and his general position, rendered any other form of punishment practically valueless. So strongly am I opposed to flogging, and so convinced that it never effects good in any way, that I only look upon the cases which have occurred as necessary steps for marking punishment, even at the risk of producing a bad effect on the delinquent and his fellow convicts.

With regard to other disciplinary offences, I can only wonder that, with the system I found in operation, there was any limit to them. When I state that such offences as "refusal to work," "insolence to

an officer," and "insubordination" were constantly met by sentences of three days' bread and water, I have given some slight idea of the state of affairs. In the Fremantle district there were in one week nine such cases so punished. This was not merely a farce, but an inducement to misconduct. Those who know what a Western Australian summer day is will have little doubt as to which a convict would prefer, the intense pleasure (to him) of abusing an officer and then sleeping in a cool stone cell for the greater part of three days and nights, or working hard for three days in the roasting sun and sleeping, perhaps, in a bush hut full of mosquitoes. In the case of the convict executed for assaulting his officer, the man had refused to work, or been insubordinate, on 12 occasions, when the maximum punishment was three days' bread and water. If he had received a good sharp sentence on the first offence he might have been alive now.

I have met with great difficulty in effecting a change as to these insufficient punishments, both as regards superintendents and visiting magistrates, who will cling to the old system. Indeed, I have frequently had to obtain your Excellency's authority for ordering additional punishment. I have been forced to require one superintendent not to deal himself with any misconduct involving insolence or disobedience of orders, and another to refrain altogether from disposing of charges.

A great deal of small offence was caused by the system under which men were shifted about from one party to another upon frivolous grounds. A convict did not like his officer or some fellow prisoners in the party, and he committed a slight offence for the avowed purpose of getting away. I long ago laid down the rule that these changes were not to be made, but that the man must work where he is told. When a convict has now to be punished by confinement for misconduct he knows that as soon as the punishment is ended he will be taken straight back to the work which he left.

A notable instance in connexion with this occurred in the Guildford District. At a bush party the men took a dislike to the warder, who is a smart, good officer, and makes the convicts do a hard day's work. Every man in the party misconducted himself in order to get away to other stations. This proceeded to such an extent that the officer asked to be exchanged. The whole party, officer and convicts, was moved to the neighbourhood of Perth, where they would not be so isolated, and were put to much harder work than before. I told the men that so long as they were on the hands of the Government they should work under that particular officer, and further warned them that the slightest misconduct would be followed by severe punishment. The men felt that they were defeated, and for months there has not been a report against one of them. At other parties men have been returned who defied the Government ever to make them go back; and I hope shortly this source of offence will be entirely done away with.

Amongst other alterations, I may mention that upon taking charge I found that convict messengers were allowed to go to shops and stores, not merely for rations for their party, but for private supplies for the officers. I need scarcely say that that arrangement was speedily brought to a conclusion.

Enormous remissions were given to convict constables, and every man who made himself useful as a cook, writer, messenger, or mechanic was made a constable. One convict constable only is now attached to each working party, as a sort of messenger in case of need; but when not so wanted he has to work like any other convict, and the amount of remission he will get will, in the case of new appointments, be merely sufficient to make a distinction. I cannot alter the remissions, excessive as they are, for men appointed before I took charge. At each road party a convict is, as heretofore, employed as night constable. The value of his services is very questionable, but it is necessary to have some one on watch, and the one officer could not do the duty.

The only other matter on this head which I wish to bring under notice is, that at the principal prisons convict writers had access to the general correspondence. The result of this was that the Comptroller-General did not communicate orders to the Superintendent alone, but to all the convicts in the prison. The convicts' discussions on the steps which they knew were to be taken on the following morning must have been edifying, and they doubtless felt gratified at the generosity of the Government in enabling them to plot and counterplot.

In referring to the next class of convicts, the ticket-of-leave holders, I am compelled to state that, in my opinion, the existing system of giving gratuities to a convict on his release from public works is a grave mistake. So far from its being a help or benefit to a man, it is, in the great majority of cases, a positive injury. Many a reconvicted man owes his further punishment to this mistaken benevolence. A convict has been confined in prison for years, without an opportunity of indulging his appetite for drink, or whatever may be his weakness. That man is set at liberty with, in many instances, a large sum of money in his possession, probably more than ever he possessed at one time before. Now, if he had only to resist his own promptings it would be bad enough, but the time at which each convict will be released, and the amount that will be given to him, is closely calculated by his former fellow prisoners already at liberty, and the moment he appears he is surrounded by a lot of scoundrels from whom it is almost impossible for him to escape while he has a penny.

No convict is discharged to ticket-of-leave until he has an approved engagement. The greatest kindness would be to give that man nothing but a suit of private clothing and enough rations to enable him to reach his employer's residence. He should not have money until he had earned it by his own labour.

Anything more deplorably lax than the proceedings of the Convict Department with regard to the ticket-of-leave population could scarcely be conceived. I will merely enumerate a few of the evils. Upon taking stringent measures for re-establishing the system on a proper footing it was found that there were more than 200 convicts at large without having any document in their possession to show that they held tickets-of-leave. Numbers of these men were wandering about the country from district to district, nominally in search of employment, practically living on pilfering and at the expense of settlers, with whose shepherds they stayed in the bush.

Several had not reported themselves for a long time, and in numerous cases men hung about the out-stations until their sentences expired, when they presented themselves for certificates of freedom. A Gazette notice, cancelling these men's tickets-of-leave, warning them that for the period they were at large their sentences would be in abeyance, and the offer of rewards for their apprehension, made a great change. Steps were taken to supply each man with a proper formal document showing he was permitted to be at large, and to make him understand that if he could not produce such authority he

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would be liable to be arrested and placed to hard labour at a road party. All men who do not report themselves punctually are punished.

I may mention that tickets-of-leave were not issued to men from the Comptroller-General's office, but signed in blank and sent by fifties to the Resident Magistrates, who filled in the name and issued them when a man was eligible.

A good deal of abuse was caused by tickets-of-leave "on their own account," being given to convicts in too indiscriminate a manner by the magistrates. This was a permission for a man to work for his own benefit without an engagement from a master. The police complained loudly on the point, asserting that the houses of many of these men were mere covers for much of the petty thieving going on in the towns, and that several of the men would club together and live on the proceeds of their plunder. The police were instructed to inquire and report on each case, and wherever a man could not show that he had proper bonâ fide employment he was told he must enter an approved service or work on the roads. No men are now "on their own account" except those of whom the police report favourably.

The plan now adopted is as follows:—Every ticket-of-leave holder who cannot show that he is earning his own livelihood properly must return to depôt, where he is employed on public works until again hired. Men are not transferred from district to district unless they have an engagement, or unless there is a greater opening for labour in one district than another. In the latter case the men who have been the longest out of employment are selected and transferred by the Government.

The number of convicts released from probation to ticket-of-leave during the year was 335.

The number of offences by ticket-of-leave holders, punished by magistrates, was 1,217, against 1,266 for 1865.

It has become almost a custom to speak of the deplorable amount of drunkenness supposed to exist in the Colony. I am bound to say that in my experience, reaching over some five years, I have seen less of such misconduct, in proportion to the population, than in any other part of the world I have been in, and as regards the convicts at large on ticket-of-leave who, especially when first released, are most prone to indulge, the charge is unfounded. During the whole of the year 1866 there were only 429 convictions for drunkenness against a daily average of over 1,400 men. And it must be borne in mind that the extent of intoxication to warrant punishment in the case of the free man and convict is hardly equal in practice.

A large number of men have been out of employment and maintained by the Government, a result to to be expected from so many being sent from England with scarcely any probation to serve. The number out of work has sometimes been about 160. Such men are naturally discontented and difficult to deal with. There are of course some out of this number who are useless men, that will never get permanent employment; but the labour market has been overstocked with ticket-of-leave holders.

Applications have been sent to England for passages for the wives and families of six ticket-of-leave holders.

Of conditional-pardon holders and expirees 20 have been reconvicted, but no conditional-release holder has been tried for even the slightest offence.

With regard to local prisoners confined in convict prisons there is now no trouble whatever. The petty annoyances which formerly existed on this head were only fostered by the eccentric proceedings of a then visiting magistrate. The sheriff does not, under existing arrangements, interfere more than is absolutely necessary, so there is no divided authority, and the present visiting magistrates support the prison officers in requiring the "locals" to conform to the general rules of the convict prisons in which they are, for the convenience of the Colony, confined.

The removal of the Comptroller-General's Office from Fremantle to Perth in May last has been of great advantage to the general service, and has rendered unnecessary the constant stream of correspondence which had to be carried on between your Excellency and the Comptroller-General. Some changes in the office have been made in consequence of the death of the Registrar, Mr. McBryde Brown, who had filled that post for 13 years. The vacancy has not been filled up, as there was no necessity for the existence of such an office, the registrar being in fact a clerk, and doing mere routine clerical work. The staff now consists of a chief clerk, two first, four second, and five third class clerks. There are also, one clerk not classified, and a temporary clerk engaged in working up the arrears which I found on taking charge, and which are not yet completed. One of the clerks is detached at Perth prison, and four are at Fremantle and other out-stations. There is a vacancy in the third class which I think it will be unnecessary to fill up.

I have great pleasure in bearing testimony to the willing manner in which the gentlemen in the Comptroller-General's Office have worked, and to the anxiety which they have shown to assist to the utmost of their power, in carrying out the many alterations which it has been necessary to make in the way of conducting the business of the office.

Some changes have been made in the other offices attached to the department. In the store branch Mr. Francisco has been confirmed in the appointment of accountant, in succession to Mr. Padbury, who was transferred to the convict service in England. I have every reason to be satisfied with the manner in which he has discharged his duties.

The schoolmaster at Fremantle prison who, with emoluments amounting to 246*l.* 18*s.* per annum, was for years past only required to attend for one hour and a half in the evening, has now to assist in the Accountant of Stores' Office.

In the Clerk of Works' Office there has been a reduction of the appointment of draughtsman. There is no necessity whatever for the employment of a permanent draughtsman. No new building or ornamental work is likely to be put in hand, and for the strong useful bridges, jetties, &c. which are being erected no elaborate drawing is required. The usefulness of the very efficient officer now holding the appointment of clerk of works has been much increased by his being required to confine himself strictly to his own duties, and not enter upon matters beyond those duties which his zeal led him to take up.

The prison and out-stations in the Perth district continue, as heretofore, to bear off the palm for order, regularity, and cleanliness, and much more work is got out of the men than in the other districts. The admirable state of discipline and tidiness in which the superintendent, now on leave of absence,

left his charge, rendered the task of the acting superintendent in keeping affairs in statu quo a very easy one.

At Fremantle the ridiculous arrangement under which the prison was styled "the Convict Establishment," regarded as the "Head Quarters" of the Convict Department, and in consequence placed on a different footing from other prisons, has been abolished, and Fremantle Prison is now in precisely the same position as Perth Prison or Guildford Depôt. The same returns have to be rendered and the same routine observed, while the superintendent has only to attend to his own district. With regard to the prison itself I will only say that, while there was a tolerably fair outside appearance, when one looked under the surface the less said of the state of affairs the better. I can only regret that even now the prison is not in the state I would wish to see it.

In the Guildford district there have been one or two disturbances. At one party the convicts were supposed to have all but mutinied, and were, after a magisterial inquiry, punished severely.

The warder who was in charge has, however, since been dismissed for gross misconduct, and facts have come to light which raise a doubt as to whether, in this instance, the evidence of free men accepted to the exclusion of that of the convicts was one bit more worthy of belief. The other case has been already mentioned. The extent of the district and the number of parties scattered over it render constant visiting by a superior officer impossible.

In the Toodyay district all has gone on well and quietly.

On my first visit of inspection to York I found the depôt in a disgraceful state, and was forced to punish the officer in charge. When I again visited all was clean and in good order.

At Bunbury the assistant superintendent in charge had been altogether too long his own master without superior observation. Upon close inquiry it appeared that he had constantly neglected his duties. While he made an elaborate display of ornamental white and yellow wash, he preferred sitting in his own quarters to looking after the convicts when they were not at work. He was withdrawn to Fremantle, and a smart warder sent to replace him.

The position of the depôt at the Vasse was most objectionable. It was a collection of bush huts on the outskirts of Busselton, and in the midst of detached buildings and small farms. The complaints as to pilfering were numerous. Arrangements were therefore made to obtain the loan, rent free, of some wooden buildings close to the police station in the town, and to these the party has been moved.

Upon visiting the Champion Bay district I found two of the out-stations in a most disgraceful state of disorder and dirt. One warder was dismissed and the exertion-money of the other was stopped.

The only district I have been unable to visit, since I took charge, is that of Albany. The time occupied in travelling such long distances, and the arrears of office work accumulating during one's absences, put it out of my power to do more. At the depôt in Albany itself a bad spirit was shown by the convicts, arising out of some groundless dissatisfaction with their rations, simply caused by the substitution of other articles for items not procurable at the time in the market, and the feeling increased until the men refused to go to work. It is to be regretted that the resident magistrate temporised and discussed terms with the convicts instead of taking sharp measures for their coercion. Orders were sent down for the punishment of all who had misconducted themselves, and that they should be supplied with rations precisely similar to those to which they had objected. Arrangements were also made for the prompt suppression of any further mutinous spirit. With the exception of a few who were sent up to Fremantle, the men returned to their work, and there has been no further misconduct.

The conduct of the subordinate discipline officers has been generally good, although several have required warnings as to the amount of work performed by the men. Seven have been dismissed, and the exertion-money or good-conduct allowance of 10 has been reduced or stopped. Seven have resigned, and two have been superannuated.

I take the other points requiring notice in the order in which they appear on the estimates.

The chaplains of the Church of England at Perth and Fremantle Prisons, who are paid wholly from convict funds, have discharged their duty with their usual zeal and close attention. The latter especially has been entirely devoted to his duties, which embrace a wider field than those of the chaplain at Perth.

The chaplains in the country districts, who are paid half from Imperial and half from Colonial funds, have as a rule done little convict duty, and it became necessary some time ago to make inquiries as to the amount of such duty. In mentioning one or two of the results arrived at I would desire especially to except the chaplain at Guildford, whose constant attention is worthy of admiration, and the chaplain at Albany recently appointed. One chaplain drawing convict pay had not made one visit to a convict party in twelve months, another only four, while at two stations in different districts, each within 10 minutes walk of the chaplain's house, convicts had actually died without being visited in their illness. These gentlemen had even passed convict stations sometimes as often as twice in a week when on other business. An excuse has been set forward that they are not allowed forage, but it is singular that they have always up to the present time been able to discharge their colonial duty, which involves much distant visiting, without forage from colonial funds. Still more singular is the fact that one of these gentlemen, who constantly rode or drove past a convict station, abstained according to his own account *purposely* from visiting it. It is a pity that the proceedings of these chaplains have not hitherto been better looked after by the person on whom the responsibility rested. The steps recently taken by your Excellency will doubtless have the effect of stimulating their zeal. At any rate the remedy is simple. If a stipendiary of the Government purposely refrains from doing his duty, the Government may with equal purpose refrain from paying his salary.

The chaplains of the Roman Catholic church have managed to visit the convict parties, although they receive no forage allowance, and only half the amount of pay from convict funds given to the Church of England chaplains.

The health of the convicts throughout the Colony has been generally good. There has been no epidemic or infectious or contagious disease. Cases of importance, whether surgical or medical, are, whenever practicable, removed to the hospital at Fremantle, where also the lunatics and permanent invalids are collected. I enclose reports from the very able surgeon in charge of these branches. An

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assistant surgeon has been sent from England recently for the medical charge of the pensioner force at Fremantle, and for such other duty connected with the convict service as he may be required to perform.

The medical officers paid from Imperial and Colonial funds, in the proportion of two-thirds and one-third throughout the Colony have discharged their duties satisfactorily.

Orders were received from England during the year for reconsidering the scale of rations in force in the Colony, with a view to the present English scale being adopted in lieu, and for reporting on the cost of provisioning the convicts. A medical board was assembled to consider the first question and advised that no change be made. I fully concur in this opinion. It must be borne in mind that the majority of convicts in Western Australia are employed on hard rough work, and lodged in mere huts or in tents in the bush. They are subject, according to the season, to intense heat during working hours or, comparatively speaking, considerable cold at night, while they are sometimes wet to the skin without the means of changing their clothes or properly drying perhaps for days those they have on. The diet that would keep up a man under the conditions applicable to convicts in England would be quite insufficient here.

The provisions are obtained under contract by public tender, and there is no more economical course open that I am aware of.

The number of men maintained by the Government has been considerably greater than that estimated for, and the approved vote for provisions has been already expended. A special credit was granted by your Excellency to enable the commissariat to carry on this branch of the service.

A pernicious system was in force under which extra rations were furnished to all classes of convicts employed at bush stations. The issues were even extended in some instances to men in the towns. The only extra rations now granted are to blacksmiths, and a few other classes recommended on medical grounds.

In connexion with the victualling of the convicts, I would express the very great regret felt by the officers of the convict department at the approaching retirement of Deputy Commissary-General Bovell, whose manner of conducting his business while in charge of the commissariat has been such as to win for him the respect and good will of all with whom he has had dealings.

The winter clothing furnished from England for the convicts, including that received per "Belgravia," has been most unsuited for the rough usage to which it is subjected in the bush. It was with the greatest difficulty the men could be kept decent in appearance, indeed at some stations even a re-issue for the season of second-hand clothing, a little of which was in stock, was worn out. Application has been made that stronger material may in future be sent.

With every endeavour to keep down the expenditure, the approved vote for transport has been exceeded, and a special credit has been necessary. In former years any excessive expenditure on this vote and that for provisions has not been noticed, but the instructions received from England for deducting 500*l.* and 1,500*l.* respectively from the votes as submitted, render it necessary to bring the matter under consideration.

The arrangements as regard forage allowance for officers are, I consider, anything but satisfactory. To some a money allowance is made, but in many cases the forage is issued in kind. Where an officer has much visiting work to do this involves him in expense. In the Comptroller-General's case, for instance, he may have a couple of horses away for a week, but his forage can only be obtained in kind at Perth. I think it would be but fair to extend to officers in the convict service the arrangement long in force in the colonial service. Under this a money allowance of 3*s.* 8*d.* per diem, being a fair average market rate for the forage, with a per-centage added for wear and tear of saddlery and harness, shoeing, &c., is made. The officer could then get the best supplies instead of having to take what the contractor sends, and could regulate his stock at home by the length of his absences on duty.

Several extensive works have made good progress during the year. Among the most important is the bridge over the Swan at North Fremantle, which was opened for traffic in November last and will shortly be finished. It is built of wood and is of the following dimensions:—Length, 954 feet 6 inches; extreme height in the clear from the water to the timbers, 44 feet 5 inches; width, 18 feet clear of guard rails, with a "lie by" of 6 feet in the centre. The approaches are respectively 200 feet with a mean height of 29 feet, and 924 feet with a mean height of 10 feet. A large portion of these approaches is faced with stone.

The new bridges at Perth Causeway are approaching completion, the piles being driven, and most of the caps and joists fixed. The space bridged will be, when completed, 1,801 feet in length by 18 feet in width.

The new bridge at the Helena Flats near Guildford is far advanced, the extreme length is 1,387 feet, the width 18 feet. The height is superior to that of the heaviest flood yet known.

Large bridges are also being erected over the Avon and Dale rivers near Beverley, and over the Warren river to the southward, while the bridge over the King river has been rebuilt.

The whole of these works are executed solely by convict labour, without the assistance of one hired man.

A very large amount of work has been done in opening out and forming new roads, as well as in repairing and re-making old lines. When it is considered that in this thinly settled Colony there are over 1,000 miles of main roads to be kept open for traffic, exclusive of the numerous cross roads, and that, with a most trifling exception, the whole is done by convict labour, which costs nothing, one cannot but foresee that some years hence the Colony will have great difficulty to contend with on the much vexed question of "roads and bridges."

It is a more serious question than many people think.

Now some pressing work is necessary, and in one or perhaps two days a party of convicts is on the spot, the work is done, and but few people hear anything about the necessity having existed.

By and by the work will be there to do, but where will be the money to hire the labour, supposing it to be procurable.

The police force has proved efficient for convict purposes. The chief duty, beyond escort work, has been in connexion with the apprehension of absconders, in which the native assistants have rendered great aid through their wonderful powers of tracking.

The arrangement under which, at the close of 1865 and the beginning of 1866, the second crew of the water police formerly at Fremantle was divided and stationed at Champion Bay, the Vasse, and Albany, has worked well.

The military force is simply a convict guard of reserve in case of emergency, and does but little active duty. One or two guards are mounted over convict prisons, but the whole of these guards could be dispensed with if additional warders were appointed.

The change of system which, during the last few years, has withdrawn the majority of the convicts from Fremantle, and placed them in small isolated parties for executing useful works throughout the Colony, has made several of the returns, for the rendering of which orders were sent from England, perfectly inapplicable. When these returns were called for, nearly all the prisoners were at the "convict establishment," Fremantle, the proceedings at which were assimilated to those of an English prison. Now Fremantle prison is simply a sort of receiving depôt, and about two-thirds of the men are elsewhere.

To furnish some of the returns hitherto sent with regard to prison reports, offences, and punishments would simply be to mislead. For purposes of comparison with the prisons of other places, or even as a test of the state of discipline in Western Australia, they would be and have been utterly valueless. For instance, at the best regulated bush party in the Colony, where the men get far more heavy punishment, both as regards hard work and rough usage, than they would at Fremantle prison, while, as compared with Fremantle prison, every mess utensil would be brighter, the clay floor of the hut cleaner than the stone corridor, and the bedding as neatly folded, from the very nature of the position many routine rules applicable to regular prisons are relaxed, and the men daily do under permission what would be inconsistent with formal discipline. On the other hand, the men are exposed to many temptations, and are liable to punishment for offences which they could not possibly commit if they were in a regular prison. Several cases of drunkenness and possession of prohibited articles are shown in the returns, but while men are working in the bush with ticket-of-leave holders in private service in the neighbourhood, it is impossible wholly to prevent such offences.

Again, in the repetition of offences and reports, the conditions are not parallel. In English prisons offences are generally dealt with during the year by the same magistrates, and there is consequently regularity in the amount of punishment. Here two men in different districts may commit offences in all respects equal, but one magistrate may give twice as heavy a sentence as the other.

Under such circumstances I have omitted some of the returns hitherto furnished, and altered or substituted others. I cannot have a stronger reason for thus departing from strict rule than that those who have hitherto made out the returns admit that they were practically useless.

For the same reason the voluminous documents heretofore sent from various officers stationed for the time being at Fremantle are omitted. While furnished in perfect good faith, they would, as an exposition of the general state of the convict department, be unreliable. For disciplinary purposes a report from an officer in charge of a country district where there are numerous bush parties would be of infinitely more value, while the religious and educational matters would refer only to a small minority constantly changing as regards individuals.

At the same time, to furnish separate reports from each district would involve sending a perfect mass of documentary matter of little practical utility, and I believe that the papers described in the annexed schedule are all that it is necessary to transmit.

In conclusion I can but regret that in preparing this, the first report I have been called upon to furnish for the Home Government with regard to convict affairs, I should, for the reasons I have stated, have been crippled before even commencing it. I would have been but too glad if, under all the circumstances, I could have been excused from making any report whatever.

Within the Colony I am quite content that the state of the department should speak for itself. I hope your Excellency will be able to inform the Secretary of State that whether or not there has been an improvement in the administration since I took charge, I have at least spared no effort to bring the whole business of the convict service in Western Australia into an efficient state.

I have, &c.

His Excellency the Governor,
&c. &c. &c.

(Signed) G. E. Hampton,
Acting Comptroller-General.

Schedude of Returns to accompany the Report of the Comptroller-General for the Year ended 31st December 1866.

1. Number of convicts.
2. Number of men maintained by Government.
3. Number of convicts that have arrived.
4. Number of convicts employed on public works on 31st December 1865 and 1866 respectively.
5. Distribution of men on public works throughout the several districts.
6. Comparative return of ticket-of-leave holders for the years 1865 and 1866 respectively.
7. Number of conditional releases issued.
8. Number of conditional-pardon holders and expirees who have received fresh sentences.
9. Description of offences by men on public works.
10. Return of offences by ticket-of-leave holders.
11. Return of deaths.
12. Statement of the expenditure for convict service during the year ended 31st March 1866.
13. Report of the surgeon, Fremantle prison.
14. Report of the surgeon superintendent, lunatic asylum.

WESTERN AUSTRALIA.

No. 1.

RETURN of the Number of Convicts in Western Australia on the 31st December 1866.

On the Public Works.			Invalids and Hospital.			Lunatic Asylum.	Ticket-of-Leave Holders in Private Service.	Conditional-Release Holders.	Grand Total.
Probation and Re-convicted Ticket-of-LeaveHolders.	Ticket-of-Leave Holders out of Employment.	Total.	Probation and Re-convicted Ticket-of-LeaveHolders.	Ticket-of-LeaveHolders.	Total.				
1,695	67	1,762	38	37	75	17	1,442	9	3,305

Comptroller-General's Office, Perth,
31st January 1867.

G. E. HAMPTON, Acting Comptroller-General.

No. 2.

NUMBER of Men maintained by the Imperial Government on the 31st December 1866.

On Public Works.		Hospital and Invalids.			Lunatic Asylum.			Total.
Probation and Re-convicted Ticket-of-Leave Holders.	Ticket-of-Leave Holders out of Employment.	Probation and Re-convicted Ticket-of-Leave Holders.	Ticket-of-Leave Holders.	Conditional-Pardon Men and Expirees.	Probation and Re-convicted Ticket-of-Leave Holders.	Ticket-of-Leave Holders.	Conditional-Pardon Men and Expirees.	
1,695	67	38	37	37	16	1	6	1,897

Comptroller-General's Office, Perth,
31st January 1867.

G. E. HAMPTON, Acting Comptroller-General.

No. 3.

RETURN of the Number of Convicts that have arrived in the Colony from England during the Year 1866.

Ship.	Date of Arrival.	No. by Assignment List.	Deaths on Passage.	No. landed.
"Belgravia" -	4th July 1866 -	277	2	275
"Corona" -	22nd December 1866	306	1	305
		583	3	580

Comptroller-General's Office, Perth,
31st January 1866.

(Signed) G. E. HAMPTON,
Acting Comptroller-General.

No. 4.

COMPARATIVE Return of the Number of Convicts employed on Public Works on the 31st December 1865 and 1866 respectively.

—	Probation and Re-convicted Ticket-of-Leave Holders.	Ticket-of-Leave Holders out of Employment.	Total.	Remarks.
1865	1,452	100	1,552	
1866	*1,695	67	1,762	* Of these 305 were received on 24th December ex "Corona."

Comptroller-General's Office, Perth,
31st January 1867.

G. E. HAMPTON, Acting Comptroller-General.

No. 5.

DISTRIBUTION of Men on Public Works throughout the several Districts.

District.	On 31st December 1866.	In course of Transfer from Fremantle on account of Arrival of "Corona."	Proposed Totals on Completion of Distribution from "Corona."
Fremantle	780	—	576
Murray	22	6	28
Perth	283	18	301
Plantagenet	137	34	171
Sussex	61	—	61
Swan	227	51	278
Toodyay	50	22	72
Victoria	130	16	146
Wellington	51	30	81
York	96	27	123
Total	1,837	204	*1,837

* Including 38 probation and re-convicted men, and 37 ticket-of-leave holders in hospital, which leaves a balance of 1,762.

Comptroller-General's Office, Perth,
31st January 1867.

G. E. HAMPTON, Acting Comptroller-General.

No. 6.

COMPARATIVE Return of Ticket-of-Leave Holders for the Years 1865 and 1866.

—	No. Earning their own Livelihood, 31st December.	No. on the Hands of the Government.			No. of Magisterial Sentences including Fines.
		No. Maintained on 31st December.	Greatest Number.	Smallest Number.	
1865	1,347	132	157	86	1,266
1866	1,442	104	198	104	1,217

Comptroller-General's Office, Perth,
31st January 1867.

G. E. HAMPTON, Acting Comptroller-General.

No. 7.

RETURN of the Number of Conditional Releases for the Year 1866.

No. issued.	No. revoked.	Total No. held on 31st December.
10	1	9

Comptroller-General's Office, Perth,
31st January 1867.

G. E. HAMPTON, Acting Comptroller-General.

WESTERN AUSTRALIA.

No. 8.

RETURN of the Number of Conditional-Pardon Holders and Expirees received under fresh Sentences during the Year 1866.

	No.
Conditional-pardon holders	9
Expirees	11
Total	20

Comptroller-General's Office, Perth,
31st January 1867.

G. E. HAMPTON,
Acting Comptroller-General.

No. 9.

DESCRIPTION of Offences by Men on Public Works.

	No.
Assaulting Officers (including Police)	15
Conduct 1. Highly insubordinate	196
2. Insolence or disobedience	140
3. Disrespectful or disorderly	150
Striking or quarrelling with other prisoners	47
Idleness or refusal to work	243
Malingering	57
Escapes or attempts to escape	127
Possession of prohibited articles	73
Theft	63
Destroying prison property	50
Drunkenness	78
Miscellaneous	299
Total	1,538

Comptroller-General's Office, Perth,
31st January 1867.

G. E. HAMPTON,
Acting Comptroller-General.

No. 10.

RETURN of Offences for which Ticket-of-leave Holders have been convicted by Magistrates during the Year 1866.

	No.
Absconding	47
Assaults, common	35
Burglary	12
Drunkenness	429
Felony	20
Forgery	5
Larceny	72
Rape	1
Unnatural crime (attempt)	1
Wounding with intent	3
Miscellaneous	592
Total	1,217

Comptroller-General's Office, Perth,
31st January 1867.

G. E. HAMPTON,
Acting Comptroller-General.

No. 11.

RETURN of Deaths for the Year ended 31st December 1866.

Reg. No.	Name.	Ship.	Status.	Cause of Death.	Date of Death.
7792	Mills, Samuel	"Clara"	T.L.	Suffocatio	3rd January 1866.
8309	Izzard, William	"Racehorse"	P.P.	Submersio	13th January 1866.
7782	McDonald, George	"Clara"	"	Phth. pul.	10th February 1866.
8707	Smith, James	"Vimeira"	"	Id.	12th February 1866.
8177	Dogherty, Matthew	"Lord Raglan"	"	Accidentally killed	25th February 1866.
6754	Thomas, Samuel	"York"	T.L.	Id.	25th February 1866.
5730	Barraclough, Thomas	"Palmerston"	"	Id.	25th February 1866.
8645	Murray, James	"Vimeira"	P.P.	Falling from a tree	26th March 1866.
7464	Jones, William	"Lord Dalhousie"	"	Sun-stroke	24th February 1866.
7015	Bremner, Robert	"Clyde"	T.L.	Phth. pul.	8th April 1866.
5968	Chidler, Thomas	"Lincelles"	"	Id.	3rd March 1866.
8191	Anderson, John	"Racehorse"	P.P.	Diarrhœa	12th May 1866.
6396	Osborne, William	"Norwood"	"	Submersio	12th April 1866.
8734	Webster, Paul	"Vimeira"	"	Diarrhœa	29th May 1866.
8150	Wadden, James	"Merchantman"	"	Dysenteria	31st May 1866.
7208	McGleaning, Robert	"Clyde"	T.L.	Perished in the bush.	29th May 1866.
7257	Smith, John	Do.	"	Morbus corbus	29th May 1866.
7999	Griffiths, James	"Merchantman"	P.P.	Hepatitis	17th January 1866.
8394	Ryan, John	"Racehorse"	"	Febris, typhoid	10th June 1866.
8270	Green, John	Do.	"	Dysenteria	30th June 1866.
7735	Johnson, John	"Clara"	T.L.	Febris, typhus	27th June 1866.
6665	Mawdsley, William	"York"	"	Phth. pul.	28th June 1866.
8453	Wells, James	"Racehorse"	P.P.	Id.	3rd July 1866.
8284	Green, John	Do.	"	Hæmatemesis	12th January 1866.
8348	Morton, John	Do.	"	Phth. pul.	27th January 1866.
5219	Wardle, Charles	"Edwin Fox"	T.L.	Diarrhœa	13th July 1866.
8486	Booth, William	"Vimeira"	P.P.	Bronchitis	25th July 1866.
7495	McKinlay, Robert	"Lord Dalhousie"	T.L.	Paralysis	27th July 1866.
7239	Roberts, James	"Clyde"	P.P.	Phth. pul.	2nd August 1866.
8720	Thomas, James	"Vimeira"	"	Dysenteria	3rd August 1866.
4829	Hunter, Charles	"Lord Raglan"	T.L.	Phth. pul.	17th August 1866.
8326	Jenkins, William	"Racehorse"	P.P.	Spinal hæmorrhage	23rd August 1866.
5629	Pugh, Owen	"Palmerston"	T.L.	Dropsy	30th August 1866.
8483	Buckley, David	"Vimeira"	P.P.	Phth. pul.	29th August 1866.
7042	Carey, John	"Clyde"	T.L.	Softening of the brain.	4th September 1866.
7959	Carter, Henry	"Merchantman"	"	Submersio	22nd Sept. 1866.
4122	Millington, James	"Runnymede"	"	Paralysis	18th February 1866.
6433	Saunders, George	"Norwood"	"	Phth. pul.	19th Sept. 1866.
6745	Thomas, James	"York"	"	Tetanus	21st October 1866.
6068	Ross, Henry	"Lincelles"	"	Falling from a cart	1st October 1866.
9040	Wheat, William	"Belgravia"	P.P.	Submersio	18th October 1866.
3534	Cannon, James	"Adelaide"	T.L.	Natural causes	2nd May 1866.
5905	Ward, Henry	"Lincelles"	"	Phth. pul.	29th October 1866.
6744	Spain, Michael	"York"	"	Apoplexia	2nd November 1866.
8754	Walsh, Michael	"Vimeira"	P.P.	Killed by fall of a tree.	9th November 1866.
5884	Quinn, James	"Colonial"	T.L.	Disease of liver and dropsy.	22nd Nov. 1866.
8610	Johnson, William	"Vimeira"	P.P.	Phth. pul.	21st December 1866.
8317	Jones, James	"Racehorse"	"	Abscess in bowels	27th December 1866.
8758	Hinton, Joseph	"Colonial"	"	Epilepsia	10th December 1866.
7198	McGlynn, Thomas	"Clyde"	T.L.	Murdered	13th August 1866.

The following men were executed:—

4052	Duffy, Daniel	"Runnymede"	T.L.	Suspendum	11th January 1866.
6247	Brooks, Matthew	"Norwood"	"	Id.	11th January 1866.
7797	Morrison, Robert	"Clara"	P.P.	Id.	24th October 1866.

Total - - 53

Comptroller-General's Office, Perth,
31st January 1867.

G. E. HAMPTON,
Acting Comptroller-General.

WESTERN AUSTRALIA.

No. 12.

STATEMENT of Expenditure for the Year ended 31st March 1866.

Vote.	Service.	Amount.		
		£	s.	d.
1	General superintendence	16,084	7	6
2	Religious instruction	2,770	8	6
3	Medical treatment	1,870	14	2
4	Provisions	24,483	9	4
5	Medicines	5	19	10
6	Fuel and light	1,146	10	1
7	Prison stores and clothing	6,288	17	11
8	Land and water transport	3,622	13	4
9	Works, buildings, and stores	2,500	8	9
10	Miscellaneous	1,335	7	7
11	Magistracy and police	13,971	6	1
12	Gratuities to prisoners and private cash and earnings	3,492	10	0
	Total convict	77,572	13	1
13	Total military service	32,112	3	9
	Total	109,684	16	10

Amounting to one hundred and nine thousand six hundred and eighty-four pounds sixteen shillings and tenpence sterling.

Commissariat, Western Australia,
Perth, 18th Feb. 1867.

Certified.
J. W. BOVELL,
Deputy Commissary-General.

No. 13.

SURGEON'S ANNUAL REPORT.

SIR, Fremantle Prison, January 1, 1867.

I HAVE the honour herewith to forward you the Annual Returns, showing the number and causes of admissions, the deaths, &c. of those under treatment in the hospital of Fremantle Prison during the past year. A glance at the tables will show that they very nearly resemble, in the most important points, those of former years; my observations on them will consequently be brief.

In looking over Table III., showing the causes of admission of 318 cases during the year, the most noteworthy feature, and one certainly of much congratulation, is the total absence of any epidemic, and the great scarcity of instances of zymotic diseases; for, though 21 cases of dysentery and 16 of diarrhœa were admitted to the hospital during the past year, nothing in the shape of an epidemic was present. The cases admitted were divided pretty equally throughout the 12 months, and they were admitted to this hospital, not from Fremantle Prison alone, but from the various districts throughout the province.

Ophthalmia has quite ceased to be the bug-bear it was in this prison; the 17 cases admitted were all sub-acute or chronic in their character; and came some from one part of the country and some from another.

Not a single case of fever of any form or type was admitted to hospital during the past 12 months; the immunity from this, and other epidemic forms of disease, can only be attributable to the elevated site of the prison, the dry subsoil, the plentiful supply of water, the sufficiency of food, and the capability of Fremantle Prison to contain at least double its present number of inmates. Generally a few cases of fever received from districts, less fortunate than Fremantle Prison in hygienic qualifications, come under treatment; but this year it has not been so.

Taking into consideration the importance of the works carried on in the neighbourhood of Fremantle during the past year, especially in the making of Fremantle bridge, and in clearing the bar at the mouth of the Swan River, it is not a little remarkable how very few accidents have occurred serious enough to require admission into the hospital—three cases only of fracture, all of secondary magnitude, occurred, and three of burns from the effects of blasting. Two of the latter were but of trivial importance, the other case was very extensive and terminated fatally.

Eleven deaths occurred during the year at this hospital amongst the prisoner class. Some of these men were sent up from the out-districts, so that it is impossible to give any return showing the percentage of deaths as compared with the inmates of the prison, *e.g.*, the two fatal cases of diarrhœa were sent down from the Guildford hospital after a long course of treatment there. Other cases also did not owe their origin to any influence in Fremantle Prison. Eight deaths also, as will be seen by Table II., occurred in this hospital amongst the expirees, conditional pardon, and ticket men, sent up from various districts. The case of tetanus (lock-jaw) was sent from Pinjarrah; it was the result of a wound in the hand from a kangaroo bone; abscess and mortification followed; amputation was performed, and tetanus supervened.

Table V., showing the sickness of the subordinate officers during the 12 months, is an improvement on last year's returns; the daily average strength was 37; the absence on sick leave 276 days. One officer, Warder Stamp, arrived in the convict ship "Vimeira," in the last stage of consumption, in December 1865. He was unfit for any duty during the whole of January 1866; he was then invalided from the service, and died a short time afterwards. One warder was absent from duty 27 days on account of injuries received on the works from a blast of gunpowder; and two others, for 16 and 17 days respectively, on account of injuries sustained by the assaults of prisoners.

Warder Thomas Sunter has lately been invalided from the service on account of mental aberration, arising probably from domestic troubles. He has recovered, however, from his attack, and has now left the Colony.

I have great pleasure in testifying to the painstaking care, attention, and efficiency of Compounder Lyons during the year in the performance of all his duties, both as discipline warder and compounder.

I have, &c.

The Hon. the Acting Comptroller-General,
&c. &c. &c.

(Signed) G. C. ATTFIELD,
Surgeon, F.P.

No. I.

TOTAL NUMBER TREATED.

	Probation and Re-convicted Prisoners.	Conditional Pardon, Ticket-of-Leave, and Expirees.
Number of patients in hospital, 31st December 1865	18	10
Number admitted during 1866	236	82
Total	254	92
Number discharged during 1866 :—		
Cured or relieved	219	71
To the lunatic asylum	10	1
Died	11	8
Remaining in hospital	14	12
Total	254	92

No. II.

NUMBER and CAUSE of DEATH.

	Probation and Re-convicted Prisoners.	Conditional Pardon, Ticket-of-Leave, and Expirees.
Tetanus (traumatic)	—	1
Diarrhœa	2	—
Dysentery	1	—
Influenza	1	—
Cirrhosis and ascites	—	2
Phthisis	5	2
Burns	1	—
Scrofula	1	—
Broken-down constitution	—	1
Paralysis	—	2
Total	11	8

WESTERN AUSTRALIA.

No. III.

DISEASES for which PATIENTS were admitted in 1866.

Abscesses, ulcers, tumours, and boils	64	Synovitis	2
Wounds, contusions, excoriations, and sprains	54	Phlegmon	7
Ophthalmia	17	Fistula	2
Rheumatism (chronic)	20	Jaundice	1
Diarrhœa and dysentery	37	Tenia	3
Phthisis	16	Cynanche tonsillaris	1
Bronchitis	4	Otitis and otorrhœa	1
Epilepsy	3	Scurvy	2
Debility	7	Pleurodynia	3
Febricula	9	Gastrodynia	4
Fracture	3	Laryngitis	1
Orchitis	2	Glandular swellings	2
Stricture	1	Apoplexy	1
Lumbago	1	Hæmorrhoids	5
Morbus cordis and ascites	6	Paralysis	4
Syphilis and gonorrhœa	2	Diseases (various)	23
Pleurisy	2		
Dyspepsia	1	Total	318
Burns	5		
Cephalagia	2		

No. IV.

NUMBER in HOSPITAL.

Daily average Number of Prisoners.	Number admitted into Hospital.			Average daily Number in Hospital.				Proportion per Cent. to daily average Number of Prisoners, Ticket-of-Leave, &c., not included.
	Probation and Re-convicted Prisoners.	Expirees, Ticket-of-Leave, and Conditional-Pardon Prisoners.	Total.	Fremantle Prison.	Out-Stations.	Ticket-of-Leave.	Total Daily Average Number of Prisoners.	
1st quarter - 467	81	18	99	12	6	5	23	3·8
2nd „ - 438	59	22	81	12	4	7	23	3·6
3rd „ - 515	49	23	72	11	5	9	25	3·1
4th „ - 550	47	19	66	12	7	7	26	3·4

Average daily number of prisoners in hospital throughout the year, ticket-of-leave, expirees, &c., not included	17·25
Proportion per cent. to average daily number of prisoners	3·7
Largest number of hospital sick in one day (of all classes)	41
Smallest number of hospital sick in one day (of all classes)	21

No. V.

SICKNESS, &c. of SUBORDINATE OFFICERS.

Daily Average of Subordinate Officers.	Daily average Number of Sick, including Accidents.	Average Number of Days each Sick Officer was under Treatment.	Died.
37	$\frac{276}{365}$	6	None.

No. VI.

Prisoners under Treatment for Mental Disorders during 1866.

Class.	Register.	Name.	Age.	Date of Arrival in the Colony.	Mental Condition on Reception.	Whether previously Insane or mentally affected.	Character of present Attack.	Date of first Symptoms.	Date of Admission into Hospital.	Remarks.
P.P.	6616	—	24	December 1862	Strange in conduct.	Was an inmate of the asylum for 3 months last year. Doubtful.	Mania - -	September 1865	Jan. 1 -	Discharged to lunatic asylum, 27/1/66.
Do.	7542	—	34	„ 1863	Sane -	Not known -	Delusions -	December 1865	Jan. 2 -	„ „ „ 9/2/66.
Do.	7470	—	22	„ 1863	Sane -	Not - -	Delusions -	February 1866	Feb. 12 -	„ „ „ 15/3/66.
Do.	8131	—	26	September 1864	Sane -	Not - -	Mania - -	February 1866	Jan. 16 -	„ „ „ 9/2/66.
Do.	8336	—	27	August 1865 -	Sane -	Not - -	Dementia and delusions.	January 1866	Jan. 22 -	„ „ „ 19/2/66.
Do.	7042	—	24	May 1863 -	Weak-minded.	Doubtful -	Dementia -	- - -	March 24 -	„ to invalid depôt, 21/6/66.
Local.	—	—	42	August 1853 -	Sane -	Not known -	Dementia -	June 1866 -	June 29 -	„ „ „ 27/6/66.
P.P.	8110	—	37	September 1864	Sane -	Yes, in England	Dementia -	October 1866 -	Oct. 30 -	„ to lunatic asylum, 25/11/66
R.C.P.	7302	—	35	May 1863 -	Sane -	Doubtful -	Delusions -	December 1865	Dec. 17 -	„ „ „ 27/1/66.
									Nov. 9 -	„ to invalid depôt, 25/11/66. Being very eccentric and weak-minded, but not insane.
T.L.	6534	—	40	May 1862 -	Sane -	Not known -	Delusions -	August 1866 -	Nov. 9 -	Discharged to lunatic asylum, 25/11/66.
P.P.	8034	—	30	September 1864	Sane -	- - -	Melancholia -	October 1866 -	Nov. 10 -	„ to invalid depôt, 28/12/66.
T.L.	5982	—	30	January 1862 -	Sane -	- - -	Dementia -	December 1866	Dec. 6 -	Detained in hospital (under observation).
P.P.	8502	—	48	December 1865	Sane -	Doubtful -	Delusions -	December 1866	Dec. 15 -	Discharged to lunatic asylum, 28/12/66.
Do.	8939	—	30	July 1863 -	Apparently sane.	Yes, in England	Mania - -	October 1866 -	Dec. 15 -	„ „ „ 25/11/66.
Do.	6744	—	28	December 1862	Sane -	Not known -	Mania - -	March 1866 -	March 6 -	„ „ „ 1/4/66.

No. 14.

Annual Report.

Sir, December 31, 1866.

I have the honour herewith to forward you the Annual Report and Return having reference to the Fremantle Lunatic Asylum during the year 1866.

At the close of the year 1865, 50 patients remained in the asylum, viz., 33 males and 17 females. During the year 1866, 18 additional patients were admitted, viz., 15 males and three females; nine also were discharged and one died; thus leaving at the present time 58 patients, viz., 39 males and 19 females.

Of the 15 cases admitted, four were free men:—1st. James McNamara, an imbecile old man, quite harmless, whose intellect had been waning for a long time before being sent to Fremantle Lunatic Asylum, and whose accompanying debilitated frame indicated that the disordered functions of the brain were in great part due to organic changes in the same. He has been as far as possible kept separate from the noisy violent characters that throng this asylum, but is gradually becoming more and more infirm and childish. 2ndly. James Mead, an old shepherd, who I think probably had a sun-stroke whilst following his occupation, causing a derangement of intellect that consigned him to the asylum. He recovered completely in about six months and was discharged. 3rdly. Thomas Sunter, an assistant warder in the Convict Service, naturally a very weak-minded man, and who on account of a keen disappointment he met with, whilst in search of a wife, became a raving maniac. After a short stay in the asylum he recovered his faculties, and has since left the Colony. 4thly. John Waters, born in the Colony, and educated in the bush, untaught, uncivilised, and probably partly imbecile from his birth. He will no doubt improve mentally, as he did previously in 1864, whilst in the asylum; but the continual fretting at his detention which goes on does not tend to invigorate his health.

The remaining 11 cases were sent from Fremantle Prison to the asylum, and were all, more or less, of a different stamp of character, men whose insanity was characterised and defined by violence of language and action, and a determination to resist being subjected to any laws, either of society or of the prison; and whose turbulent spirits and depraved ideas have equally brought them, first to the bar of justice, and subsequently to the lunatic asylum. Many of these men are only "morally insane," that is, they will not submit to any discipline, they will not control their ungovernable tempers, and are utterly reckless of consequences; yet, at the same time, they know as well as another the difference between right and wrong. It is sometimes extremely difficult to determine when these "morally "insane" characters should be left to punishment, and when they should be consigned to a lunatic asylum.

The three females admitted were all married women, and had been in the Colony many years. One of them, Anne Tippett, was previously an inmate of the asylum for 12 months; she was discharged in

WESTERN AUSTRALIA.

May 1865, her husband having promised to keep a strict supervision over her. This, however, he failed to do, and she was re-admitted in March last.

The female discharged, Mary Goodall, had been an inmate of the asylum for nearly 12 months. Before admission she had committed infanticide when in a state of insanity. She perfectly recovered during her stay in the asylum. She is a woman, however, of low mental organization.

One death occurred during the year amongst the male patients from apoplexy.

No attempt at suicide has been made by any of the patients either male or female; and the general health of all the inmates has been highly satisfactory.

I have nothing serious to record concerning assaults committed by the convict lunatics, either on their officers or on each other. Of course, amongst a class so prone as they to wrangle, quarrel, and fight, disturbances and the occasional exchange of a blow must almost necessarily happen now and then; but by the strict observance of the rule laid down, (viz., to place the disputants immediately in seclusion for a few hours until they have cooled down) every attempt to make a row has been soon quelled.

I have not found it necessary in any instance to use mechanical restraint towards any of the patients, excepting the temporary seclusion above mentioned.

The asylum at present affords ample room for its occupants. Both the male and female lunatics have large dining rooms, separate from their sleeping apartments; these latter wards are also spacious and lofty, and well ventilated. There is a large exercising yard at the back of the building, with a covered shed to protect from the sun. In this yard also there is a large wash-house, in which the female lunatics do a great deal of the prison washing (on an average about 500 pieces weekly); and also a well arranged kitchen, in which the whole cooking for the asylum is done. In front there are two very spacious enclosures for exercise and amusement, one of about an acre and a half, the other of about three acres and a half. The former is meant chiefly as a garden, and is laid out with fruit trees, vines, flowers, and shrubs; the latter, containing also some vines and flowers, has also a large piece of turf laid down, with a view to making a cricket and foot-ball ground. A fives court also is now in course of erection, which must, I think, eventually be a great source of amusement, and a vent for the superabundant energy of many of the patients.

The supply of water at the asylum is abundant, and of good quality. There are two good shower baths in the wash-house, which are daily used in the summer; and plenty of other requisites, such as large tubs, &c., to carry out the ablutions strictly enforced.

I have much pleasure in recording the highly satisfactory manner in which Mr. Ramsay, who is resident at, and in charge of the asylum, performs his duty. I can always rely on his carrying out my directions, both in the spirit and to the letter; he is very firm in maintaining proper discipline amongst the turbulent, he is kind and attentive to the infirm, and preserves the utmost cleanliness in all the wards and cells.

I have, &c.
(Signed) G. C. ATTFIELD,
Surgeon Superintendent.

The Hon. the Acting Comptroller-General.

STATISTICAL RETURN appended to Annual Report of Lunatic Asylum, 1866.

	Males.		Females.	Total.
	Criminal.	Local.		
No. of patients remaining in the asylum on 31st December 1865	18	15	17	50
No. of patients admitted to asylum in 1866	11	4	3	18
Total	29	19	20	68
Discharged, cured or relieved	5	3	1	9
Died	1	—	—	1
Total	6	3	1	10
Remaining under treatment, 31st December 1866	23	16	19	58

MALES ADMITTED.

Imperial or Colonial.	Class.	Register.	Names.	Age.	Ship.	Character of Disease.	Probable Cause.	Admitted.	Arrived in the Colony.	Remarks.
Imperial -	T. of L.	7302	—	35	"Clyde" -	Delusion -	Hereditary tendency.	Jan. 27, 1866	May 1863	Was discharged from the asylum, August 23, 1866; subsequently became an inmate of the invalid depôt.
„	P.P.	6616	—	26	"York" -	Mania -	Drink and weak mind.	Jan. 27, „	Dec. 1862	Discharged, Aug. 23, 1866, cured.
Colonial -	Free	—	—	53	„	Dementia -	Domestic troubles.	Feb. 4, „	Never in prison.	Still remains in asylum.
Imperial -	P.P.	8336	—	27	"Racehorse"	„ with delusion.	Naturally weakminded.	Feb. 19, „	Aug. 1865	Do. do.
„	R.C.	7542	—	34	"Dalhousie."	Delusion -	Naturally weakminded.	Feb. 19, „	Dec. 1863	Do. do.
	P.P.	8131	—	26	"2nd Merchantman."	Mania -	Hereditary tendency.	Feb. 19, „	Feb. 1863	Discharged from the asylum, May 11, 1866, cured.
„	P.P.	7470	—	22	"Dalhousie"	Delusion -	Want of self-control.	Mar. 15, „	Dec. 1863	Do. do., cured.
Colonial -	Free	—	—	46	Barque "Stirling."	Dementia -	Sunstroke -	Mar. 9, „	About 1846	Do. Aug. 23, 1866, cured.
Imperial -	R.C.	6744	—	28	"York" -	Mania -	Hereditary	April 1, „	May 1862	Died in the asylum, November 2, 1866, from apoplexy.
Colonial -	Free	—	—	44	"Strathmore"	„ -	Domestic troubles.	Oct. 3, „	May 1862	Discharged from asylum, Nov. 12, 1866, relieved.
Imperial -	P.P.	8939	—	30	"Belgravia"	„ -	Hereditary	Nov. 23, „	July 1866	Remains in asylum.
„	P.P.	8110	—	37	"Merchantman."	Dementia -	Hereditary	Nov. 25, „	Sept. 1864	Do.
„	T. of L.	6554	—	40	"York" -	Delusion -	Weakminded	Nov. 25, „	Dec. 1862	Do.
Colonial -	Free	—	—	26	Born in the Colony.	Dementia -	Weakminded from birth.	Dec. 17, „	Dec. 1862	Do.
Imperial -	P.P.	8502	—	48	"Vimeira" -	Delusion -	Sunstroke -	Dec. 27, „	Dec. 1865	Do.

MALES DISCHARGED.

Imperial or Colonial.	Class.	Register.	Names.	Age.	Ship.	Character of Disease.	Probable Cause.	Admitted.	Arrived in the Colony.	Discharged.	Remarks.
Colonial -	Free	—	—	29	Arrived free	Mania -	Sunstroke	Dec. 16, 1865	As a mate on board the "Zephyr."	Apr. 19, 1866	Died in Singapore from a second *coup de soleil* a few months after discharge.
Imperial -	P.P.	8131	—	26	"2nd Merchantman."	„	See above	Feb. 19, 1866	Feb. 1863	May 11, „	No relapse since discharge.
„	„	7470	—	22	"Dalhousie."	Delusion -	„	Mar. 15, 1866	Dec. 1863	May 11, „	
„	„	6616	—	26	"York" -	Mania -	„	Jan. 27, 1866	Dec. 1862	Aug. 7, „	
„	T. of L.	7302	—	35	"Clyde" -	Delusion -	„	Jan. 27, 1866	May 1863	Aug. 23, „	
„	C.P.	4909	—	49	"Lord Raglan."	Dementia	Depression	Mar. 11, 1862	June 1858	Aug. 23, „	
Colonial -	Free	—	—	46	Barque "Stirling."	„	See above	Mar. 9, 1866	About 1846	Aug. 23, „	
Imperial -	R.C.	6744	—	28	"York" -	Mania -	„	Apr. 1, 1866	May 1862	Died Nov. 2, 1866.	Died of apoplexy in asylum.
Colonial -	Free	—	—	44	"Strathmore"	„	„	Oct. 3, 1866	May 1862	Nov. 12, 1866	Relapsed in a state of melancholy, has since left the Colony.

FEMALES ADMITTED.

Imperial or Colonial.	Class.	Rank.	Names.	Age.	Married or Not.	Character of Disease.	Date of Symptoms.	Admitted.	Remarks.
Colonial -	Free	Labourer's wife.	—	31	Married -	Dementia and delusion.	About two years since.	Jan. 4, 1866	Remains in asylum under treatment.
„ -	„	„	—	30	„ -	Delusion -	„ -	Mar. 15, „	Second time of admission, was discharged from asylum in May last year.
„ -	„	„	—	29	„ -	Dementia -	No information but to her history.	Oct. 21, „	Remains in asylum under treatment.

FEMALE DISCHARGED.

Imperial or Colonial.	Class.	Rank.	Name.	Age.	Married or Not.	Character of Disease.	Date of Symptoms.	Admitted.	Discharged.	Remarks.
Colonial -	Pris. -	Labourer's wife.	—	24	Married -	Dementia -	About three months previous to admission.	Sept. 13, 1865	Aug. 25, 1866	Had perfectly recovered from her attack some months previous to discharge.

TASMANIA.

No. 2.

Copy of a DESPATCH from Governor T. Gore Browne, C.B., to the Right Honourable Edward Cardwell, M.P.

(No. 50.)

Sir, Government House, Hobarton, Tasmania, August 22, 1866.

I have the honour to forward an annual report by the Comptroller-General of convicts in Tasmania, and another from the Civil Commandant at Port Arthur.

These reports speak for themselves, and require no comment from me.

TASMANIA.

You will observe that the number of convicts at Port Arthur who are exempted from labour on account of age and infirmity increases annually, this while it checks the immediate diminution of expense, points to a prospective and permanent decrease in the strength and expense of the establishment.

I have, &c.

The Right Hon. E. Cardwell, M.P., &c. &c. &c.

(Signed) T. GORE BROWNE, Governor.

Enclosure in No. 2.

SIR, Comptroller-General's Office, August 17, 1866.

I HAVE the honour to forward for transmission to the Right Honourable the Secretary of State my Annual Report on the Convict Establishment in this Colony for the year ending 30th of June 1866.

1. The office of the Comptroller-General.
2. The Convict Establishment, Port Arthur.

2. The report of the Civil Commandant which accompanies this report will be found to contain full information respecting Port Arthur.

The establishment continues on the same footing, and is, I think, as cheaply and efficiently worked as such an establishment can be. A considerable portion of the convicts are men of reduced strength, and could not be worked at the hardest description of labour, and are placed therefore, very properly, by the Commandant and Surgeon in the second and third classes of work; while some have had to be permanently invalided. These latter are kept in a class by themselves while continuing under their sentence.

The system of money payments to convicts under sentence continues to work well. Recently, however, I have reduced the scale to sixpence a week, and this has been granted to all men under sentence short of life; while to those under life it has no longer been granted, but it is left to the Governor in Council to grant such sum of money as he may see fit in the case of any man to whom the privilege of freedom may be granted after 10 or more years have elapsed. The remissions of sentences are confined within the limits prescribed by law, and these are never infringed. The establishments for paupers and lunatics are in a satisfactory condition, and the order and good government of the whole establishment reflects the greatest credit on the Commandant. There were on the 30th of June 364 Colonial convicts under sentence, and 132 Imperial; 213 male paupers chargeable to Imperial funds, and 71 to Colonial; with 89 lunatics chargeable to Imperial, and 4 to Colonial funds.

3. At the prisoners' barracks there were 4 men chargeable to Imperial funds.
4. At the Cascade factory there were 23 chargeable, namely, 19 women and 4 children.
5. At the New Norfolk Asylum the numbers were 47½.
6. At the Colonial Hospital the numbers were 11 wholly, and 4 half chargeable.
7. At the Hospital, Launceston, 4 chargeable.
8. At the Queen's Orphan Asylum 101 were wholly, and 60 half chargeable, being a total of 131 children chargeable upon Imperial funds.
9. I enclose the usual Returns; I. and II. showing the distribution of convicts; also Return No. III., showing the number chargeable upon Colonial and Imperial funds; and No. IV. gives a summary of convicts in Tasmania on the 30th June 1866. From this summary it will be seen that the total number of male convicts has diminished 48, and females 2, during the year.
10. The cost of the convicts will be shown in my report on the estimate for 1867–68.

I have, &c.

His Excellency the Governor, &c. &c. &c.

(Signed) W. NAIRN, Comptroller-General.

Civil Commandant's Office, Port Arthur, Tasmania, August 13, 1866.

SIR,

I BEG to submit my annual report upon this establishment for the year ending 30th June last.

Conduct of the Subordinate Officers.

I am happy to be able to state that the general conduct and attention to their duties of the staff of officers has been entirely satisfactory.

The following changes have taken place, viz.:—One superannuated, one died, three dismissed, one resigned, one reduced, seven promoted, and two new appointments. These changes, while improving the efficiency of the arrangements, have not entailed any additional expense.

Civil Guard.

The 12 armed constables composing the civil guard have performed their duties faithfully, and the presence of this force has been found amply sufficient for preserving the security of the establishment.

State of the Buildings.

The buildings generally are in an effective state.

The erection of the new Lunatic Asylum, referred to in my last report, is progressing satisfactorily, and when completed will be a very useful and superior building.

An open palisaded circular yard has been formed on the exterior of the separate prison, for the purpose of affording greater freedom when exercising to certain prisoners of dangerous character who have been ordered to be confined in that establishment for lengthened periods.

Extensive repairs have been effected in several of the buildings both at Port Arthur and the out-stations on Tasman's peninsula.

The wharves at Port Arthur have been renewed and strengthened, a portion of the jetty at Salt Water River has also been repiled, and various other repairs carried out in connexion with the roads and bridges upon Tasman's and Forestier's peninsulas.

Conduct of the Prisoners.

Return A. shows the nature and number of offences and punishments.

The total number of prisoners at the station during the year has been 616, and the number of offences disposed of magisterially 154, which contrasts favourably with the former year, when the strength was 644 and the number of offences 186.

The only serious crime committed was by convict No. 5,483, who in August last "caused grievous bodily harm" to the senior constable, by throwing a heavy earthenware vessel upon his head from one of the prison galleries; for this offence the prisoner was sentenced to five years' hard labour in chains. The same convict has committed many other offences, and is the most incorrigible man now at Port Arthur, or whom I have ever had under my charge.

Only one case of absconding has to be recorded, and I am glad to be able to state that the prisoner who escaped was recaptured on the same day that he absented himself from his station.

Re-convictions.

420 prisoners were discharged between the 1st July 1863 and the 30th June 1866 (*i.e.*, in three years), and of those 34, or 8 per cent. have been again received under sentence, eight of these are, however, men of impaired mental or physical condition, and who probably found it difficult to obtain an honest livelihood, hence their relapse into crime.

Convicts under Sentence for Life.

There are now 46 men held under sentence of "penal servitude" or "imprisonment for life," and 54 others who are still labouring under their old sentences of "transportation for life," exclusive of those who have since been sentenced to "life penal servitude" and are therefore included in the former number.

Emigration of discharged Convicts.

Through the excellent system of money earnings, introduced in August 1862, and which money the convicts receive on discharge, many of the prisoners, who in former years were scarcely ever absent from the penal establishments of the Colony, have been enabled to proceed to other countries, where it is to be hoped they may have entered upon a better course of life, while their removal from Tasmania has undoubtedly effected a large saving of expense to the public.

Incapacitation of Prisoners for Hard Labour.

A very considerable proportion of the prisoners have, through age and chronic disease, become quite unfit for the severe labour which has to be carried on in procuring timber from the mountainous and swampy localities at which such can only now be obtained near to Port Arthur.

Several have been formally invalided and exempted from all labour; while many have been pronounced by the medical officers to be suffering from diseases of the heart and lungs, from ruptures, rheumatism, and general debility.

The number of convicts now capable of performing the ordinary effective or first class labour has been reduced to 261 out of the total strength, viz., 496; but many of the 261 are men serving under the heaviest sentences, and of too dangerous character to be allowed to work in the bush.

The appended Table H. shows the classified ages of the convicts, from which it will be observed, that a large number of them are far advanced in life, no less than 392 or 79 per cent. being considerably above 40 years of age, while of these 61 are upwards of 60 years.

From these facts it will be seen that the majority of the convicts now under detention consist of the worn out remains of former large prisoner populations, and that many of them will in a very few years have to be invalided and exempted from work, so that in a short time the entire establishment will be almost non-effective as regards ordinary labour.

Employment of the Prisoners.

Return B. shows the various descriptions of labour carried on during the year.

*Return C. exhibits the quantities and value of farm, dairy, and fishery produce.

*Return D. the quantity and value of building and other materials obtained.

*Return E. shows the clothing and other articles made and repaired, and the washing done, with value of such work.

Return F. shows the number of effective prisoners, invalids, paupers, and lunatics on the 30th June 1865 and 1866 respectively, with the funds upon which they were borne.

Return G. shows the rate of mortality during the year, and the number in hospital on the 30th June 1866.

Appended is a list of the principal visitors with their recorded observations. The Governor inspected the whole of the Establishment in the month of March last, and a copy of his Excellency's minute will be found attached to the list of visitors.

I have, &c.
(Signed) J. Boyd,
Civil Commandant.

The Honourable the Comptroller-General,
&c. &c. &c.

* Not printed.

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A.

RETURN showing the NUMBER of PRISONERS under DETENTION at Port Arthur, and their CONDUCT during the Year ending 30th June 1866.

| Number of Prisoners at the Penal Settlement Port Arthur during the Year ending 30th June 1866. | Detailed Statement of Cases adjudicated upon magisterially. | | |

B.

RETURN showing the various descriptions of labour at which the Prisoners have been employed during the year ending 30th June 1866.

Bakers.
Blacksmiths.
Bookbinder.
Boat and launch builders.
Brickmakers.
Butchers.
Bricklayers.
Barbers.
Bullock drivers.
Boatmen.
Carpenters.
Cooks.
Charcoal burners.
Coopers.
Clearing land.
Carting fuel.
Cemetery keeper.
Church and chapel cleaners.
Carters.
Dairyman.
Engine minder.
Fitters and locksmiths.
Fencers.
Farriers.
Gardeners.
Herdsmen.
Harness makers and repairers.
Labourers, agricultural.
„ general.
Lime burners.
Laying and repairing tramroads.
Laundrymen.
Lamplighter.
Lime shell gatherers.
Masons and stonecutters.
Milkmen.
Moulders and foundrymen.
Mat (grass) makers.
Plumbers, painters, and glaziers.
Potters, making cell pans.
Plasterers.
Ploughmen.
Procuring fire wood.
„ piles.
„ logs.
„ spars.
Procuring boat and launch timbers.
Pile drivers.
Quarrying stone.
Repairing wharves and jetties.
Sawyers and saw-mill men.
Servants.
Shinglers.
Shoemakers.
Splitters.
Stokers, fire.
Sweeps.
Salt boilers.
Stone breakers.
Scavengers.
Signalmen.
Semaphore repairers.
Tool repairers.
Tailors.
Tin-plate workers.
Writers.
Wheelwrights.
Watchmen assisting police.
Wardsmen and station cleaners.
Water carriers.

F.

RETURN showing the Number of Effective Prisoners, Paupers, Invalids, and Lunatics, with the Treasuries to which they were chargeable on the 30th of June 1865 and the 30th June 1866 respectively.

Date.	Effective Prisoners Chargeable to Imperial Treasury.	Effective Prisoners Chargeable to Colonial Treasury.	Paupers and Invalids Chargeable to Imperial Treasury.	Paupers Chargeable to Colonial Treasury.	Lunatics Chargeable to Imperial Treasury.	Lunatics Chargeable to Colonial Treasury.	Total of all Classes.	Treasuries.	
								Imperial.	Colonial.
Strength on the 30th June 1865.	144	343	226	62	92	4	871	462	409
Strength on the 30th June 1866.	119	346	224	88	91	5	873	434	439

G.

RETURN showing the average Number of Effective Convicts, Invalids, Paupers, and Lunatics for the Year ending 30th June 1866, the Mortality during the Period, Average Age of each Class at Death, and present Number in Hospital.

Period.	Average Number of each Class.				Mortality during the Year.			Average Age of effective Convicts at Death.	Average Age of Paupers, Invalids, and Lunatics at Death.	Number in Hospital on 30th June 1866.	
	Effective Convicts under Detention.	Paupers and Invalids.	Lunatics.	Total.	Convicts under Detention.	Paupers, Invalids, and Lunatics.	Total.			Convicts under Detention.	Paupers, Invalids, and Lunatics.
From 1st July 1865 to 30th June 1866.											
Totals - -	472	282	96	850	6	21	27	48	67	15	171

TASMANIA.

H.

RETURN showing the Ages of the Prisoners.

Under 20.	20 and under 30.	30 and under 40.	40 and under 50.	50 and under 60.	60 and under 70.	70 and under 80.	80 and upwards.
2	9	93	214	117	46	14	1

Total, 496.

EXTRACTS from the VISITORS' BOOK.

I feel highly pleased at the way this establishment is managed, greatly to the credit of the Civil Commandant and Officers.
Auckland, August 12, 1865. (Signed) J. W. ROBINSON.

After a careful examination of the buildings, and a general investigation of the discipline carried out on this extensive establishment, we have to record our entire satisfaction with all we saw, and consider great credit is due to the Commandant and his Officers.
August 28, 1865. (Signed) ADYE DOUGLASS, M.H.A.
ISAAC SHERWIN, M.H.A.
WILLIAM DODERY, M.H.A.
JOSEPH ARCHER, M.L.C.
C. J. MCMAHON, Capt. R.A.
R. R. DAVIES, Archdeacon of Hobarton.
E. H. EAGER, Colonel Commanding Troops.
J. FULFORD.
H. E. LETTE, M.H.A.
D. LEWIS, Mayor of Hobarton.
CHARLES F. MARTIN.

Visited the establishment of Port Arthur this day, and was much pleased with the orderly way in which everything was conducted, everything in its proper place.
(Signed) J. WINGATE, Major, H.P.

Percy Lodge, Sydney, New South Wales,
December 20, 1865.

Visited this establishment and must say "Nulli secundus."
February 15, 1866. (Signed) A. W. NICHOLAS, Merchant.

We, the undersigned, visited the establishment, and were much pleased with the cleanliness of the place.
February 15, 1865. (Signed) WILLIAM THORNTON, Melbourne.
ADAM STACKPOLE, Melbourne.
W. K. THOMPSON, Melbourne.
A. B. DONALDSON, Melbourne.
B. CORNISH, Melbourne.
J. H. MCEWAN, Melbourne.
EUGENE CADEN, Melbourne.
THOMAS GLASS, Melbourne.
EDMUND GLASS, Melbourne.
THOMAS SMITH, Melbourne.
JAMES WILSON, Melbourne.
WILLIAM RAYMENT, Melbourne.
J. LATHAM, Melbourne.
GEORGE MOORE, Melbourne.
HENRY J. FOX, Sydney.
THOMAS LANSLY, Melbourne.
GEORGE CAREY, Brigadier-General, Commanding H.M. Forces in the Australian colonies.
R. LEWIS, M.D., Surgeon Major.
W. GRIMLAW, of Melbourne, Victoria.

We heartily concur in the opinions before expressed.
(Signed) CHARLES E. READE, H.M.S. "Falcon."
PETER MURRAY, Assistant Engineer, H.M.S. "Falcon."
WALTER H. JEW, Gunner, H.M.S. "Falcon."
G. M. J. HIGGINSON, Assistant Paymaster, H.M.S. "Falcon."

Visited this establishment, and found everything in respect to cleanliness and order far superior to anything of the sort I have ever visited.
Port Arthur, March 29, 1866. (Signed) H. GREY, Master Assistant, H.M.S. "Falcon."

I heartily approve all that I have seen during my present inspection, and have much pleasure in recording my thanks to the Civil Commandant for the admirable system he so ably administers.

Port Arthur, March 29, 1866. (Signed) T. GORE BROWNE, Governor.

Having inspected the establishment throughout, I consider it a great credit to the Colony, and shows the admirable discipline established by the Civil Commandant, Mr. Boyd.

(Signed) THOMAS KIRBY.
MRS. ANNE ELLIS.
MISS LOUISA COMPTON.
MISS JANE SHARP.

Having during the short interval of time allowed me by the stay of the steamboat inspected this establishment, I gladly record my sense of the perfect cleanliness, order, and apparent industry everywhere visible.

April 17, 1866. (Signed) ROBERT BYRON MILLER, Attorney-General.

True extracts,
J. BOYD,
Civil Commandant.

ABSTRACT showing the Number of Individuals of each Class at Port Arthur on the 30th June 1866, chargeable to Colonial and Imperial Funds respectively.

Station.	Colonial Funds.				Imperial Funds.				Grand Total.
	Under Sentence or Order of Probation.	Paupers and Invalids.	Lunatics.	Total Colonial.	Under Sentence or Order of Probation.	Paupers and Invalids.	Lunatics.	Total Imperial.	
Port Arthur - -	364	71	4	439	132	213	89	434	873

SUMMARY OF CONVICTS, 30th June 1866.

Males.

200 Passholders -	Under magisterial sentence -	Maintained by Government.	0	
	In hospitals, invalids, and lunatics -		28	
	On probation for ticket-of-leave, &c.		19	
	In private service or illegally at large	Not maintained by Government.	153	
86 Ticket-of-leave holders -	Earning their own livelihood -		42	
	Under sentence - - -	Maintained by Government.	24	
	In hospitals, invalids, and lunatics -		20	
436 Miscellaneous -	Under sentence to imprisonment -		16	
	Under sentence to penal servitude -		420	
722				722

Females.

1 Passholder - -	Lunatic - - - - -	Maintained by Government.	1	
15 Ticket-of-leave holders -	Under magisterial sentence - -		1	
	In hospitals, invalids, and lunatics -		2	
	Earning their own livelihood.	Not maintained by Government	12	
16				16

Maintained by Government, males - - - -	527
Do. females - - - -	4
Not maintained by Government, males - - - -	195
Do. females - - -	12
Total - -	738

TASMANIA.—COMPTROLLER-GENERAL'S OFFICE.

No. 1.—DISTRIBUTION RETURN of CONVICT DEPARTMENT, 30th June 1866.

STATIONS AND ESTABLISHMENTS.		Convicts. Chargeable to Imperial Funds. Under Sentence to Imprisonment to Hard Labour passed by Superior Courts.	Under Sentence of Penal Servitude.	On Probation for Ticket-of-Leave and Conditional Pardon.	Passholders under Sentence.	Passholders under Sentence in Hospital, Invalids and Lunatics.	Ticket-of-Leave Holders under Sentence.	Ticket-of-leave Holders under Sentence in Hospital, Invalids, and Lunatics.	Convicts. Chargeable to Colonial Funds. Under Sentence to Imprisonment to Hard Labour passed by Superior Courts.	Under Sentence of Penal Servitude.	On Probation for Tickets-of-Leave and Conditional Pardons.	Passholders under Sentence.	Passholders under Sentence in Hospital, Invalids and Lunatics.	Ticket-of-Leave Holders under Sentence.	Ticket-of-Leave Holders under Sentence in Hospital, Invalids and Lunatics.	Free Men. Chargeable to Imperial Funds. Under Magisterial Sentence.	Paupers and Invalids.	In Hospital.	Lunatics.	Chargeable to Colonial Funds. Under Magistorial Sentence.	Paupers and Invalids.	In Hospital.	Lunatics.	Female Convicts Chargeable to Imperial Funds. Under Sentence to Imprisonment and Hard Labour passed by Superior Courts.	Under Penal Servitude.	Passholders in Hospital, Invalids and Lunatics.	Ticket-of-Leave Holders under Sentence.	Ticket-of-Leave Holders under Sentence in Hospital, Invalids and Lunatics.
Comptroller-General's Office		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Port Arthur		1	76	19	—	24	23	20	15	317	—	—	—	—	—	4	191	—	67	14	71	—	4	—	—	—	—	—
			7 Invalids. 2 Lunatics.							17 Invalids. 1 Lunatic.																		
Colonial Establishments. Prisoners' Barracks		—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	3	—	—	—	—	—	—	—	—	—	—	—
Cascade Factory		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	2
Hospitals and Lunatic Asylum.		—	—	—	—	4	—	—	—	—	—	—	—	—	—	—	—	4	16	—	—	—	—	—	—	1	—	—
Gaols		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Queen's Orphan Asylum		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
TOTAL		1	85	19	—	28	24	20	15	335	—	—	—	—	—	4	194	4	83	14	71	—	4	—	—	1	1	2

Total Convicts maintained by Government - - - 527
Passholders in private service or illegally at large - - 153
Ticket-of-Leave Holders earning their own livelihood - - 42
Total Males - 722

Females - 16
Total Males and Females - 738

TASMANIA.—CONVICT

No. 2.—RETURN showing the STRENGTH of the CONVICT Taken from the Distribution

DATE.	Convicts. Chargeable to Imperial Funds. Under Sentence to Hard Labour passed by Superior Courts.	Under Sentence to Penal Servitude.	On Probation for Tickets-of-Leave and Conditional Pardons.	Passholders under Sentence.	Passholders under Sentence in private service, or illegally at large.	Passholders under Sentence in Hospital, Lunatics and Invalids.	Ticket-of-Leave Holders under Sentence.	Ticket of-Leave Holders under Sentence earning their own livelihood.	Ticket-of-Leave Holders under Sentence in Hospital, Lunatics and Invalids.	Convicts. Chargeable to Colonial Funds. Under Sentence to Hard Labour passed by Superior Courts.	Under Sentence to Penal Servitude.	On Probation for Tickets-of-Leave or Conditional Pardons.	Passholders under Sentence.	Passholders under Sentence in Hospital, Invalids, and Lunatics.	Ticket-of-Leave Holders under Sentence.	Ticket-of-Leave Holders under Sentence in Hospital, Lunatics and Invalids.	Free Men. Chargeable to Imperial Funds. Under Magisterial Sentence.	Paupers and Invalids.	In Hospital.	Lunatics.	Chargeable to Colonial Funds. Under Magisterial Sentence.	Paupers and Invalids.	In Hospital.	Lunatics.	Female Convicts. Chargeable to Imperial Funds. Under Sentence to Hard Labour passed by Superior Courts.	Under Penal Servitude.	Passholders in Hospital, Invalids and Lunatics.	Ticket-of-Leave Holders under Sentence.	Ticket-of-Leave Holders under Sentence earning their own livelihood.	Ticket of-Leave Holders under Sentence in Hospital, Invalids and Lunatics.
1865. 31st December.	1	89	18	2	157	28	31	51	18	16	329	2	—	—	—	—	1	167	4	84	13	62	—	4	—	—	1	—	14	3
1866. 30th June.	1	85	19	—	153	28	24	42	20	15	335	—	—	—	—	—	4	194	4	83	14	71	—	4	—	—	1	1	12	2
Increase.	—	—	1	—	—	—	—	—	2	—	6	—	—	—	—	—	4	27	—	—	1	9	—	—	—	—	—	1	—	—
Decrease.	—	4	—	2	4	—	7	9	—	1	—	2	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	2	1

TASMANIA.—COMPTROLLER-GENERAL'S OFFICE.

DISTRIBUTION RETURN OF CONVICT DEPARTMENT, 30th June 1866.

| Free Women. | | | | Children. | | | |

TASMANIA.

No. 3.

No. 3.

COPY of a DESPATCH from Governor T. GORE BROWNE, C.B., to the Right Honourable the Earl of CARNARVON.

(No. 12.)

MY LORD, Government House, Hobarton, Tasmania, February 14, 1867.

I HAVE the honour to forward a memorandum by the Comptroller-General covering the annual returns of convicts.

By an early mail I propose addressing your Lordship on the subject of Port Arthur, I will not therefore trouble you with any remarks at present.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c. (Signed) T. GORE BROWNE, Governor.

MEMORANDUM.

Comptroller-General's Office, February 13, 1867.

I HAVE the honour to forward to your Excellency for transmission to the Right Honourable the Secretary of State the usual returns of the number and description of convicts in Tasmania on the 31st of December 1866.

2. The return marked 4 summary shows a total of 731 males and 15 females; of the 731 males, 188 were not maintained by the Government, 498 were under sentence, and 45 were in hospital as invalids or lunatics. Of the 15 women, 2 were maintained by the Government and 13 were earning their own living.

3. Return marked 3 shows the number chargeable to Imperial and Colonial funds in the only Imperial establishment now existing, namely, 462 Colonial and 381 Imperial on the 31st of December.

4. At the prisoners' barracks there were 2 prisoners under sentence and 14 paupers, at the Cascade factory there was one convict under sentence and 12 paupers and one child chargeable to Imperial funds.

5. At the New Norfolk Asylum there were 46 inmates.

6. At the Orphan Asylum there were 97 wholly and 56 half chargeable or equal to 125 chargeable to Imperial funds.

I have, &c.

His Excellency the Governor, &c. &c. (Signed) W. NAIRN. Comptroller-General.

Returns 1 and 2 not printed.

No. 3.

ABSTRACT showing the Number of Individuals of each Class at Port Arthur on the 31st December 1866, chargeable to Colonial and Imperial Funds respectively.

Station.	Colonial Funds.				Imperial Funds.				Grand Total.
	Under Sentence or Order of Probation.	Paupers and Invalids.	Lunatics.	Total Colonial.	Under Sentence or Order of Probation.	Paupers and Invalids.	Lunatics.	Total Imperial.	
Port Arthur -	395	63	4	462	119	198	64	381	843

No. 4.

SUMMARY OF CONVICTS.

Males.

189	Passholders - -	Under sentence - - - -	Maintained by Government.	0
		On probation for pardons - - -		14
		In hospitals, invalids, and lunatics -		28
		In private service or illegally at large -	Not maintained by Government.	147
78	Ticket-of-leave holders	Earning their own livelihood - -		41
		Under sentence - - - -	Maintained by Government.	20
		In hospitals, invalids and lunatics - -		17
464	Miscellaneous - -	Under sentence of penal servitude or imprisonment - - - -		464
731				731

Females.

15 Ticket-of-leave holders	Under sentence - - - -	Maintained by Government.	1	
	Invalid - - - - -		1	
	Earning their own livelihood.	Not maintained by Government	13	
15				15

Maintained by Government, males - - - -	543
Do. females - - -	2
Not maintained by Government, males - - -	188
Do. females - - -	13
Total - - - -	746

LONDON:
Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

COOLIE IMMIGRANTS (DEMERARA).

RETURN to an Address of the Honourable The House of Commons, dated 21 March 1867;—*for*,

"RETURNS of the MORTALITY among the COOLIE IMMIGRANTS in *Demerara* for the Three Years ending December 1866:"

"And, of the Proportion of FEMALES and MALES among them from the last received Statistics."

Colonial Office, 5 April 1867.

C. B. ADDERLEY.

RETURN of the MORTALITY among the COOLIE IMMIGRANTS in *Demerara* for Three Years; and of the Proportion of FEMALES and MALES among them from the last received Statistics.

DATE.	Immigrants on Estates.			Deaths.			Per centage.
	Men.	Women.	Total.	Men.	Women.	Total.	
31 December 1863	24,217	7,844	32,061	655	188	843	2·62
30 June 1864	24,256	7,787	32,043	590	126	716	2·23
31 December 1864	24,397	7,753	32,150	not stated		–	2·2
30 June 1865	24,761	7,697	32,458	not stated		–	2·84
31 December 1865	25,633	8,111	33,744	–	–	*942	2·79
30 June 1866	28,619	9,840	38,459	765	160	925	2·40
31 December 1866	Returns not yet received.						

* Sexes not distinguished.

COOLIE IMMIGRANTS (DEMERARA).

RETURN of the MORTALITY among the COOLIE IMMIGRANTS in *Demerara* for the Three Years endin gDecember 1866; and, of the Proportion of FEMALES and MALES among them from the last received Statistics.

(*Mr. Henry B. Sheridan.*)

Ordered, by The House of Commons, *to be Printed,*
8 *April* 1867.

CUSTOMS TARIFFS (COLONIES).

RETURN to an Address of the Honourable the House of Commons, dated 25 June 1867;—*for*,

A "RETURN of the Changes made in the CUSTOMS TARIFFS of Her Majesty's Possessions Abroad (in continuation of Parliamentary Paper, No. 560, of Session 1864)."

Colonial Office,
2 July 1867.

C. B. ADDERLEY.

(*Mr. Adderley.*)

Ordered, by The House of Commons, *to be Printed*,
3 *July* 1867.

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Part I.

North American Colonies.

RETURN of the Changes made in the CUSTOMS TARIFFS of Her Majesty's Possessions Abroad.

1.—C A N A D A.

(Transmitted in Governor's Despatch, No. 2 of 3 January 1867.)

CANADIAN TARIFF, as enacted by the 29 & 30 Vict. c. 6 (15th August 1866).

ARTICLES.	DUTIES. $. c.
SCHEDULE (A).	
SPECIFIC DUTIES payable on and after 27 June 1866.	
Spirits and Strong Waters:	
Brandy, gin, rum, whisky, spirits of wine and alcohol, not being whisky, on every gallon of the strength of proof by Sykes' Hydrometer, and so in proportion for any greater strength than the strength of proof, and for every less quantity than a gallon	0 70
Cordials, other than ginger, orange, lemon, gooseberry, strawberry, raspberry, elder, and currant wines, per gallon	1 20
Perfumed, spirits to be used as perfumery only, per gallon	1 20
Acetic acid and vinegar, per gallon	0 05
Ale, beer, and porter, in casks, per gallon	0 05
Ale, beer, and porter, in bottles, 4 quart or 8 pint bottles to the gallon, per gallon	0 07
On crude petroleum, per gallon	0 06
Oils:	
Coal and kerosene, distilled, purified, and refined, per gallon	0 10
Naphtha, per gallon	0 15
Benzole, per gallon	0 15
Refined petroleum, per gallon	0 15
Sugar:	
Candy, brown or white, refined sugar, or sugar rendered by any process equal in quality thereto, and manufactures of refined sugar, including succades and confectionery, per 100 lbs.	3 00
White clayed sugar, or sugar rendered by any process equal in quality to white clayed, not being refined or equal in quality to refined, per 100 lbs.	2 60
Yellow Muscovado and brown clayed sugar, or sugar rendered by any process equal in quality to yellow Muscovado or brown clayed, and not equal to white clayed, per 100 lbs.	2 25
Brown Muscovado sugar, or sugar rendered by any process equal in quality to brown Muscovado, and not equal to yellow Muscovado or brown clayed, per 100 lbs.	1 90
Any other sugar not equal in quality to brown Muscovado, per 100 lbs.	1 68
Cane juice, syrup of sugar or of sugar cane, syrup of molasses, melado, concentrated melado, or concentrated molasses, per 100 lbs.	1 37
Molasses, per 100 lbs.	0 73
Coffee, green, per lb.	0 03
Coffee, roasted or ground, per lb.	0 04
Chicory, or other root or vegetable used as coffee, raw or green, per lb.	0 03
Chicory, kiln-dried, roasted or ground, per lb.	0 04
Common soap, per 100 lbs.	1 00
Starch, per 100 lbs.	2 50

ARTICLES.	DUTIES. $. c.
SCHEDULE (A)—*continued.*	
Tobacco, Manufactured:	
Cavendish, per lb.	0 15
Common, cut, per lb.	0 7½
Fine, cut, per lb.	0 20
Canadian twist, per lb.	0 04
Snuff and snuff flour, dry, per lb.	0 15
Snuff, damp, moist or pickled, per lb.	0 10
Cigars:	
Value not over 10 dollars per mille.	3 00
Value over 10 dollars and not over 20 dollars per mille.	4 00
Value over 20 dollars and not over 40 dollars per mille.	5 00
Value over 40 dollars per mille.	6 00
SCHEDULE (B).	
AD VALOREM DUTIES payable on and after 27 June 1866.	
Goods paying 25 per Cent. ad valorem:	
Cinnamon, mace, and nutmegs.	
Spices, including ginger, pimento, and pepper, ground.	
Patent medicines and medicinal preparations, not elsewhere specified.	
Essences and perfumery, not elsewhere specified.	
Goods paying 15 per Cent. ad valorem:	
Manufactures of leather, including boots and shoes, harness and saddlery.	
Clothing or wearing apparel, made by hand or sewing machine.	
Blacking.	
Bagatelle boards and billiard tables, and furnishings, not elsewhere specified.	
Brooms and brushes, of all kinds.	
Cabinet ware or furniture.	
Candles and tapers of tallow, wax, or any other material.	
Carpets and hearth rugs.	
Carriages.	
Coach and harness furniture.	
Chandeliers, girandoles, and gas fittings.	
Chinaware, earthenware, and crockery.	
Cider.	
Clocks.	
Corks.	
Cottons, cotton warp, cotton yarn, and cotton twist.	
Dried fruits and nuts.	
Drugs, not otherwise specified.	

1.—CANADA—*continued.*

ARTICLES.	DUTIES.
SCHEDULE (B)—*continued.*	$. c.
Fancy Goods and Millinery:	
Articles embroidered with gold, silver, or other metals, bracelets, braid, &c., made of hair, feathers and flowers, fans and fire screens, millinery of all kinds, ornaments of bronze, alabaster, terra-cotta or composition, silver and gold cloth, thread, and other articles, embroidered with gold, or for embroidering, thread-lace and insertions, writing desks, fancy and ornamental cases and boxes, and other fancy goods.	
Foreign newspapers, sent otherwise than through the Post Office.	
Fireworks.	
Ginger, orange, lemon, gooseberry, strawberry, raspberry, elder, and currant wines.	
Gunpowder	
Guns, rifles, and fire arms, of all kinds.	
Glass and glass ware, plate, and silvered, stained, painted, or coloured.	
Hats, caps, and bonnets.	
Hat-plush.	
Hosiery.	
Inks of all kinds, except printing inks.	
Hardware:	
Cutlery, polished, of all sorts.	
Japanned, planished tin, Britannia metal ware.	
Spades, shovels, axes, hoes, rakes, forks and edgetools, scythes and snaths.	
Spikes, nails, tacks, brads and sprigs.	
Stoves, and all other iron castings.	
Other hardware.	
Plank and sawed lumber of all kinds, except walnut, mahogany, chesnut, rosewood, and cherry.	
Leather:	
Sheep, calf, goat, and chamois skins, dressed, varnished or enamelled.	
Linen.	
Locomotive engines and railroad cars.	
Maccaroni and vermicelli.	
Manufactures of marble or imitation of marble, other than rough sawn slabs or blocks.	
Manufactures of caoutchouc, india-rubber, or gutta percha.	
Manufactures of fur, or of which fur is the principal part.	
Manufactures of hair or mohair.	
Manufactures of papier mâché.	
Manufactures of grass, osier, palm leaf, straw, whalebone, or willow, except plaits elsewhere mentioned.	
Manufactures of bone, shell, horn, pearl, and ivory.	
Manufactures of gold, silver, electro-plate, Argentine, Albata, and German silver, and plated and gilded ware, of all kinds.	
Manufactures of brass or copper.	
Manufactures of leather, or imitation of leather.	
Manufactures of wood, not elsewhere specified.	
Manufactures of cashmere.	
Musical instruments, including musical boxes and clocks.	
Mustard.	
Ochres, when ground or calcined.	
Oil-cloths.	
Oils, in any way rectified, pumped, racked, bleached or pressed, not elsewhere specified.	
Opium.	
Packages, containing goods paying specific duties only; if containing goods paying ad valorem duties, their value to be added to the value of the goods for duty: except (whether the duties be specific or ad valorem) such packages as are declared free by section 10 of this Act.	
Paints and colours not exempted from duty by Schedule E.	
Paper.	
Paper-hangings.	
Parasols and umbrellas.	
Plaster of Paris and hydraulic cement, ground and calcined.	
Playing cards.	
Pickles and sauces.	
Preserved meats, poultry, fish, and vegetables.	
Printed, lithographed, or copper-plate bills, bill heads, &c., and advertising pamphlets.	
Portable hand printing presses.	
Shawls.	
Silks, satins, and velvets.	
Silk, woollen, worsted, and cotton embroideries, and tambour work.	
Silk twist, and silk and mohair twist, not elsewhere specified.	
Spices, unground, including ginger, pimento, and pepper.	
Stationery.	
Small wares.	
Tobacco-pipes.	
Toys.	
Varnish, other than bright or black.	
Woollens.	
Book, map, and news printing paper.	
Engravings and prints.	
Flat wire for crinolines, covered.	
Jewellery and watches.	
Maps, charts, and atlases, not elsewhere mentioned.	
Ready made sails.	
Spirits of turpentine.	
And all goods not enumerated in any of the Schedules to this Act as charged with any other duty, nor declared exempt from duty.	
Goods paying 10 per Cent. ad valorem:	
Sole and upper leather.	
AD VALOREM and SPECIFIC DUTIES payable after 27 June 1866.	
Tea, 15 per cent. ad valorem, and a specific duty of seven cents per lb.	

SCHEDULE (C).

SPECIFIC DUTIES payable on and after the passing of this Act.

Butter, per lb.	0 04
Cheese, per lb.	0 03
Lard and tallow, per lb.	0 01
Fish, salted or smoked, per lb.	0 01
Flour, of wheat or rye, per barrel	0 50
Flour and meal, of all other kinds, per 100 lbs.	0 25
Indian corn and grain, of all kinds, except wheat, per bushel	0 10
Meats, fresh, salted, or smoked, per lb.	0 01

1.—CANADA—*continued.*

ARTICLES.	DUTIES.
SCHEDULE (D).	$. c.
SPECIFIC DUTIES payable on and after 1 October 1866.	
Wines of all kinds, except sparkling wines, and ginger, orange, lemon, gooseberry, strawberry, raspberry, elder, and currant wines, containing not over 26 degrees of proof spirits by Sykes' Hydrometer, in wood, per gallon	0 10
Wines of all kinds (except as above), containing over 26 degrees and not more than 42 degrees of proof spirits by Sykes' Hydrometer, in wood, per gallon	0 25
Wines of all kinds (except as above), containing not more than 42 degrees of proof spirits by Sykes' Hydrometer, in bottles, quarts, per doz.	1 50
Wines of all kinds (except as above), containing not more than 42 degrees of proof spirits by Sykes' Hydrometer, in bottles, pints, per doz.	0 75
And an additional duty of 3 cents per gallon for every degree of strength beyond 42 degrees, whether in wood or bottles; 4 quart or 8 pint bottles to the gallon.	
Wine, sparkling, of all kinds, in bottles, when accompanied by a certificate of growth, in quarts, per doz.	3 00
Wine, sparkling, of all kinds, in bottles, when accompanied by a certificate of growth, in pints, per doz.	1 50
And when not accompanied by a certificate of growth, an additional duty of, in quarts, per doz.	1 00
And when not accompanied by a certificate of growth, an additional duty of, in pints, per doz.	0 50
SCHEDULE (E.)	
FREE GOODS on and after 27 June 1866.	
Anchors.	
Brass, in bars, rods, or sheets.	
Brass or copper wire, and wire cloth of brass or copper.	
Copper, in bars, rods, bolts, or sheets.	
Copper, brass or iron tubes and piping, when drawn.	
Iron of the descriptions following, viz.:	
Canada plates and tin plates.	
Galvanized and sheet.	
Galvanized spikes and bolts.	
Wire, nail and spike rod, round or flat.	
Scrap, bar, rod or hoop.	
Hoop or tire for locomotive wheels, bent and welded.	
Boiler plate.	
Railroad bars, wrought iron chairs and fish plates.	
Rolled plate.	
Puddled iron bars.	
Lead, in sheet.	
Litharge.	
Locomotive and engine frames, cranks, crank axles, railway car and locomotive axles, piston rods, guide and slide bars, crank pins, and connecting rods.	
Medicinal roots.	
Phosphorus.	
Silk twists, for hats, boots, and shoes.	
Steamboat and mill shafts, and cranks forged in the rough.	

ARTICLES.	DUTIES.
SCHEDULE (E)—*continued.*	$. c.
Steam fire engines, when imported by the municipal corporations of cities, towns, or villages, for the use of such municipalities.	
Steel, wrought or cast, in bars, rods, or sheets, circular or oblong.	
Straw, tuscan, and grass fancy plaits.	
Tin, granulated or bar.	
Zinc or spelter, in sheet.	
Acids of every description, except acetic acid and vinegar.	
Alum.	
Anatomical preparations.	
Antimony.	
Antiquities, collections of.	
Apparel, wearing, of British subjects domiciled in Canada, dying abroad.	
Argol.	
Articles for the public uses of the Province.	
Articles imported by and for the use of the Governor General.	
Articles for the use of foreign consuls, when such consuls are subjects or citizens of the country they represent, and not engaged in trade and commerce.	
Ashes, pot, pearl, and soda.	
Bark, berries, nuts, vegetables, woods and drugs, used chiefly in dyeing.	
Barilla or kelp.	
Bark, tanners'.	
Belting duck and hose duck.	
Bleaching powders.	
Bolting cloths.	
Borax.	
Bookbinders' tools and implements.	
Books, printed, periodicals and pamphlets, not being foreign reprints of British copyright works, nor blank account books, nor copy-books, nor books to be written or drawn upon, nor school or other books printed in this Province.	
Boot-felt.	
Bristles and hogs' hair of all kinds.	
Broom corn.	
Busts, casts, and statues of marble, bronze or alabaster, paintings and drawings, as works of art, specimens of sculpture, cabinets of coins, medals, gems, and all collections of antiquities.	
Burrstones and grindstones, wrough and unwrought.	
Biscuit and bread from Great Britain and the British North American Provinces.	
Cocoa paste from Great Britain and the British North American Provinces.	
Cables:	
Iron chain.	
Hemp and grass.	
Caoutchouc or india-rubber and gutta percha, unmanufactured.	
Carriages of travellers, and carriages employed in carrying merchandise, hawkers and circus troops excepted.	
Cement, marine or hydraulic, unground.	

1.—C A N A D A—*continued.*

ARTICLES.	DUTIES.
SCHEDULE (E)—*continued.*	$. c.
The following articles, when imported by and for the use of officers of Her Majesty's Forces serving in Canada:	
Cigars, for officers' mess.	
Silver or plated ware, for officers' mess.	
China ware, for officers' mess.	
Glass ware, for officers' mess.	
Table linen, for officers' mess.	
Spirits, for officers' mess.	
Wines, for officers' mess.	
Malt liquor, for officers' mess.	
Billiard tables and bagatelle boards, when imported directly by and for the use of regimental corps serving in Canada.	
Clothing, plain and military, imported by officers of the army serving in Canada.	
Coffee, sugar, and tea, when imported directly by, or taken out of warehouse for Her Majesty's troops serving in Canada, under such restrictions and regulations as may be prescribed by the Minister of Finance.	
Church bells.	
Communion plate.	
Coal and coke.	
Clothing and arms for Indian nations.	
Clothing and arms for the army and military forces in the Province.	
Commissariat and ordnance stores.	
Corkwood, or bark of the corkwood tree.	
Cotton and flax waste.	
Cotton wool.	
Cotton candle wick.	
Cotton netting and woollen netting for india-rubber shoes.	
Cream of tartar, in crystals.	
Diamonds and precious stones, not set.	
Donations of clothing for gratuitous distribution by charitable societies.	
Drain tiles for agricultural purposes.	
Drawings, as works of art.	
Earths, clays, and sand.	
Eggs.	
Emery, glass and sand paper.	
Essential oils of all kinds.	
Farming utensils and implements, when specially imported for the encouragement of agriculture.	
Felt hat-bodies and hat felts.	
Fibrilla, Mexican fibre or Tampico, white and black, and other vegetable fibres for manufactures.	
Firewood.	
Fire-brick and clay.	
Fish, fresh.	
Fishing-nets and seines, hooks, lines, and twines	
Flax, hemp and tow, undressed.	
Furs and skins, pelts or tails, undressed.	
Gems and medals.	
Gold beaters' brim moulds and skins.	
Gold and silver leaf, and for platers' use.	
Grease and scraps.	
Gravels.	
Gypsum, or plaster of Paris, neither ground nor calcined.	
Human hair, angola, goat, Thibet, horse, hog, and mohair, unmanufactured.	
Hay.	
Hides, horns, and pelts.	
Hops.	
Indigo.	
Junk and oakum.	
Kryolite.	

ARTICLES.	DUTIES.
SCHEDULE (E)—*continued.*	$. c.
Linen machine thread for boots and shoes.	
Locomotives, and passenger, baggage and freight cars, running upon any line of road crossing the frontier, so long as Canadian locomotives and cars are admitted free, under similar circumstances, in the United States.	
Manilla grass, sea grass, and mosses, for upholsterers' purposes.	
Manures.	
Maps and charts, imported not as merchandise but as the personal effects of persons arriving in Canada to become *bonâ fide* settlers in the Province.	
Marbles, in blocks or slabs, unpolished, and not specially shapen.	
Medicines for hospitals.	
Menageries, horses, cattle, carriages, and harnesses of.	
Military and naval stores.	
Models.	
Musical instruments for military bands.	
Nitre or saltpetre.	
Ochres, and metallic oxides, ground or unground, and washed or unwashed, dry, not calcined.	
Oil cake, or linseed cake.	
Oils, cocoa-nut, pine, and palm, in their crude, unrectified or natural state.	
Ores of all kinds of metals.	
Osiers and willow for basket-makers' use.	
Philosophical instruments and apparatus, including globes, when specially imported for the use of colleges and scientific and literary societies.	
Pipe-clay.	
Pig iron, pig lead, and pig copper.	
Pitch and tar.	
Printing ink and printing presses, except portable hand printing presses.	
Prunella.	
Rags.	
Red lead and white lead, dry.	
Resin and rosin.	
Rice.	
Sal ammoniac, sal soda, soda ash, caustic soda, and silicate of soda.	
Salt.	
Scrap brass, and scrap iron.	
Seeds, for agricultural, horticultural, or manufacturing purposes only.	
Settlers' wearing apparel, and other personal effects, implements of husbandry (not merchandise), in actual use of persons coming to settle in the Province.	
The following articles when imported by ship-builders for ship-building purposes:	
Ships' blocks and patent bushes for blocks.	
Ships' binnacle lamps.	
Ships' bunting.	
Ships' sail-cloth or canvass, from No. 1 to No. 6.	
Ships' compasses.	
Ships' dead-eyes.	
Ships' dead-lights.	
Ships' deck-plugs.	
Ships' pumps and pump gear.	
Ships' shackles.	
Ships' sheaves.	
Ships' signal lamps.	
Ships' travelling trucks.	

1.—CANADA—*continued.*

ARTICLES.	DUTIES. $ c.
SCHEDULE (E)—*continued.*	
The following articles when imported by ship-builders for ship-building purposes—*cont^d.*	
Yellow metal in bars or bolts, and yellow metal sheathing.	
Steering apparatus.	
Composition spikes and nails.	
Sheathing copper and nails.	
Iron-knees and riders.	
Wire-rigging.	
Cordage.	
Treenails and wedges.	
Iron masts, or parts of iron masts.	
Specimens of natural history, mineralogy, or botany.	
Slate.	
Stone, unwrought, and lithographic stone.	
Stereotype blocks for printing purposes.	
Electrotype blocks for printing purposes.	
Sulphur or brimstone in roll or flour.	
Teasels.	
Tin and zinc, or spelter, in blocks or pigs.	
Trees, plants, and shrubs, bulbs and roots.	
Tobacco, unmanufactured.	
Turpentine, other than spirits of turpentine.	
Type metal, in blocks or pigs.	
Varnish, bright and black, for ship-builders.	
Vegetables.	
Veneering, of wood or ivory.	
Weaving or tram silk, and weaving or tram cotton, for making elastic webbing, and crinoline thread for covering crinoline wire.	
Wheat.	
Whiting or whitening.	
Wood of all kinds, wholly unmanufactured.	
Wool.	
Zinc-white.	
Coin and bullion.	
Mill and factory machinery of all kinds.	
The colours and articles following, when imported solely by room paper manufacturers and stainers for manufacturing purposes only, that is to say:	
Lakes, in pulp, scarlet, and morone.	
Ultra marine and Chinese blue.	
English umber, raw.	
Blue black.	
Paris and permanent greens.	
Satin and fine washed white.	
Bichromate of potash.	
Sugar of lead.	
British gum.	
Slotted tapes, for the manufacture of hoop skirts.	
Brass and tin clasps, slides, and spangles for hoop skirts.	
Ratan for caning chairs.	
Machine silk twist, and machine linen thread.	
Nitrate of soda.	
Whale oils, in their crude and natural state, not in any way rectified, racked, pumped, bleached, or prepared.	
Plank and sawed lumber of mahogany, rosewood, walnut, chesnut, and cherry.	

ARTICLES.	DUTIES. $ c.
SCHEDULE (F).	
GOODS FREE of DUTY, from and after the passing of this Act.	
The following goods, when of the growth and produce of any of the British North American Provinces:	
Grain, flour, and breadstuffs of all kinds.	
Animals of all kinds.	
Fresh, smoked, and salted meats.	
Seeds and vegetables.	
Green and dried fruits.	
Fish of all kinds.	
Products of fish, and of all other creatures living in the water.	
Poultry.	
Butter, cheese.	
Lard, tallow.	
Timber and lumber of all kinds, round, hewed, sawed, but not otherwise manufactured in whole or in part.	
Fish oil.	
Gypsum, ground or unground.	
SCHEDULE (G).	
GOODS which may be made Free of Duty by Proclamation or by Order in Council.	
Any other articles than those mentioned in Schedule (F), being of the growth and produce of the said British North American Provinces, that may be specially exempted from customs duty by order of the Governor in Council.	
Any or all of the articles mentioned in Schedule (F), when the growth and produce of the United States of America, may be admitted into this Province free of duty, upon proclamation by the Governor in Council, whenever satisfactory arrangements shall be entered into with the United States for the importation of similar articles from Canada into that country.	
SCHEDULE (H).	
TABLE of PROHIBITIONS.	
The following articles shall be prohibited to be imported, under a penalty of 200 dollars, together with the forfeiture of the parcel or package of goods in which the same may be found:	
Books, drawings, paintings and prints, of an immoral or indecent character.	
Coins, base or counterfeit.	
SCHEDULE (I).	
EXPORT DUTY.	
Saw-logs and shingle bolts of pine or spruce exported out of Canada, except the same be exported directly to any of the British North American Provinces:	
On every 1,000 feet, board measure, pine -	1 00
On every 1,000 feet, board measure, spruce	0 50

2.—NOVA SCOTIA.

(Not received.)

3.—NEW BRUNSWICK.

(Not received.)

4.—PRINCE EDWARD ISLAND.

(Transmitted in Governor's Despatch, No. 101, of 28 December 1866.)

TABLE OF IMPORT DUTIES, 1866, imposed by Act 19 Vict. c. 1, and 29 Vict. c. 1, by which it has been Amended. These Acts are in force from 20th April 1866 till 1st May 1867.

ARTICLES.	Per-centage ad valorem Duty on every £. 100 Currency Value per Invoice.	Other Duties.
	£. s. d.	£. s. d.
Anchors and chain cables	1 – –	
Canvas and sailcloth	2 – –	
Iron bars and straps intended for strapping riders and knees of ships	2 – –	
Steam engines and boilers	2 – –	
Rigging and cordage	2 – –	
Sails and oakum	2 – –	
Pitch, tar, and rosin	2 – –	
Copper and composition bars, bolts, rudder braces, clinch rings, sheets, and sheathing nails	2 – –	
Blocks and deadeyes	5 – –	
Bar iron, bar and spring steel, gypsum, ground and unground, leather of all kinds except sole leather	5 – –	
Rice, fruit, and vegetables undried	5 – –	
Buffalo robes	10 – –	
Jewellery of all kinds	10 – –	
Fine bread and crackers of all kinds, except ship bread, and navy bread	10 – –	
Watches and all machinery to be used in the formation thereof	10 – –	
Sails, rigging, and ship materials saved from vessels wrecked on the coast of this island (not belonging to this island), duty payable on account of sales	10 – –	
Ships' stores and cargoes saved from wrecks or sold in vessels stranded, to pay the same duty as in cases of importation	10 – –	
Boots and shoes of all kinds	12 10 –	
Clothes, ready-made, namely, coats, overcoats, vests, jackets, and trousers	12 10 –	
Carriages of all kinds	12 10 –	
Corn brooms, matches, trunks, valises, portmanteaus, and looking glasses	12 10 –	
Articles manufactured of wood and such articles of which wood forms the principal part, not hereinbefore mentioned	12 10 –	
Cigars	20 – –	
All wheel machinery, and machinery for manufacturing or to be used in the formation of clocks	20 – –	
Books, being the reprints of British authors, under the Imperial Act 11 Vict. c. 28	20 – –	
Clocks	25 – –	
Patent medicines	30 – –	
Almonds, Jordan and shelled, per lb.	– –	– – 3
Ale, porter, and beer, per gallon	– –	– – 5
Burning fluid, kerosene, paraffine, rock, combination, and all other descriptions of oils manufactured from coal, per gallon	– –	– – 7½
Butter, the cwt.	– –	– 10 –
Bread, ship and pilot, per 100 lbs.	– –	– 1 –
Bacon, the cwt.	– –	– 10 –
Beef, the barrel	– –	– 6 –
Coffee, green, the lb.	– –	– – 2
Coffee, roasted or ground, the lb.	– –	– – 3
Chocolate, cocoa paste, or broma, the lb.	– –	– – 3
Cider, the gallon	– –	– – 5
Confectionery of all kinds, per lb.	– –	– – 4
Currants, raisins, prunes, figs, and all other kinds of dried fruits, per lb.	– –	– – 1
Cheese, the cwt.	– –	– 5 –
Flour, wheat, and rye and corn meal, per barrel	– –	– 1 6
Hams, per cwt.	– –	– 10 –
Leather, sole, the lb.	– –	– – 1
Lard, per cwt.	– –	– 10 –
Molasses, the gallon	– –	– – 4
Onions, per 100 lbs.	– –	– 3 –
Pork, per barrel	– –	– 6 –
Sugar, refined, per lb.	– –	– – 3
Sugar, brown or muscovado, per cwt.	– –	– 7 –

4.—PRINCE EDWARD ISLAND—*continued.*

ARTICLES.	Per-centage ad valorem Duty on every £. 100 Currency Value per Invoice.	Other Duties.
	£. s. d.	£. s. d.
Tea, per lb.	- - -	- - 4
Tobacco, manufactured, per lb.	- - -	- - 6
Tobacco, unmanufactured, the lb., 3 *d.* duty on the same, to be levied on the quantity imported, without any diminution for stems or otherwise	- - -	- - 3
Wines, claret, and all other light wines (except port and sherry), the first cost of which is under 20 *l.* sterling per pipe	25 - -	
Port and sherry, and all other wines, costing 20 *l.* sterling per pipe, per gallon, in addition to 5 per cent. ad valorem duty	5 - -	- 4 -
Spirits, namely, brandy imported into this island at the ports of Charlottetown, Georgetown, Summerside, and Souris, not exceeding the strength of proof by Sykes' hydrometer, and so in proportion for any greater strength than the strength of proof, per gallon	- -	- 4 6
Spirits, namely, brandy imported into this island at any other ports, for every gallon thereof, of any strength, under and not exceeding the strength of proof 28 by the bubble	- -	- 4 6
And for every bubble below 28 in number by the bubble, an additional 3 *d.* per gallon	- -	- - 3
Spirits, namely, gin, cordials, and whiskey, imported into this island at the ports of Charlottetown, Georgetown, Summerside, and Souris, not exceeding the strength of proof by Sykes' hydrometer, and so in proportion for any greater strength than the strength of proof, per gallon	- -	- 3 6
Spirits, namely, gin, cordials, and whiskey, imported into this island at any other ports, for every gallon thereof, of any strength under and not exceeding the strength of proof of 28 by the bubble	- -	- 3 6
And for every bubble below 28 in number, by the bubble, an additional 3 *d.* per gallon	- -	- - 3
Rum, or other distilled spirituous liquors, imported into this island, not exceeding the strength of proof by Sykes' hydrometer, and so in proportion for any greater strength than the strength of proof, and landed at the ports of Charlottetown, Georgetown, Summerside, and Souris, per gallon	- -	- 1 6
Rum, or other distilled spirituous liquors imported into this island, at any other ports, for every gallon thereof of any strength under and not exceeding the strength of proof 28 by the bubble	- -	- 1 6
And for every bubble below 28 in number by the bubble, an additional 1½ *d.* per gallon	- -	- - 1½
Lemon syrup, shrub, santa, and gingerette, per gallon	- -	- 1 -
Tinctures, per gallon	- -	- 2 -
Spirituous liquors, on all manufactured or distilled in this island, per gallon	- -	- - 6
On all goods, wares, and merchandise not above enumerated, except as hereinafter mentioned and excepted, saving and excepting all exemptions reserved and contained in and by the 8th section of the Act 19 Vict. c. 1	10 - -	

TABLE OF EXEMPTIONS.

All Articles in the following Table, imported from any Country or Colony whatsoever, shall be exempt from Duty, to wit:—

All articles imported by the Lieutenant Governor for his own use.
Ashes, viz., potashes, pearlashes, and soda ashes.
Baggage: apparel, household effects, working tools and implements used and in use of persons or families arriving in this island, if used abroad by them, and not intended for any other person or persons, or for sale.
Barrels and half-barrels of all kinds.
Books (printed) of all kinds, not prohibited to be imported into the United Kingdom.
Maps and charts.
Blocks, rigging and sails which may have been used to take new vessels from this island to a market for sale, if such blocks, rigging, and sails shall be returned forthwith, after the sale of the vessel, direct to this island, by the exporter thereof, and shall have previously paid and shall have been charged with the duties by law imposed thereon, on the first importation thereof into this island.
Broomcorn and bark.
Coal.
Dye woods of all kinds (ground and unground).
Engines (fire).
Flax.
Fish of all kinds, and products of fish, and all other creatures living in the water.
Furs, skins, and tails, undressed.
Grindstones, hewn, wrought, or unwrought.
Hemp and tow, unmanufactured.
Hides.
Horns.
Iron (pig).
Lime.
Manures.
Oil (fish).
Organs and bells imported expressly for any church, chapel, or sacred edifice in this island, and intended to be placed therein.
Ores of metals of all kinds.
Ordnance or Commissariat stores, or war munitions of any kind, or military baggage or clothing brought into this island for the use of Her Majesty's Army, Navy, or Militia, by any commissary or other person in Her Majesty's service.
Military clothing and accoutrements for the use of Her Majesty's Volunteer Corps in this island.
Printing paper, royal and demy, in use for newspapers.
Poultry, eggs.
Pelts.
Plants, shrubs and trees.
Rags.
Salt.
Seeds.
Slate.
Stone or marble, sawn or in its crude or unwrought state.
Burr or limestone.
Stock (live) of all kinds, for breeding purposes.
Seines.
Staves.
Tallow.
Teazels.
Timber and lumber of all kinds (round, hewn, and sawed), unmanufactured.
Firewoods.
Wool.

5.—NEWFOUNDLAND.

(Not received.)

6.—BERMUDA.

(Transmitted in Governor's Despatch, No. 42, of 2 July 1866.)

A SCHEDULE of Duties Levied under the Supply Bill which came into Operation on the 1st July 1866, and will continue in Force to the 30th June 1867.

Table of Duties.	Rate of Duty. £. s. d.
Arrow-root, unmanufactured, or in the raw state, per cwt.	– 10 –
Arrow-root starch, per lb.	– – 6
Rum, per gallon	– 3 –
Arrack, alcohol, brandy, gin, whiskey, shrub, peppermint water, and cordials, per gallon	– 3 –
Wine of all kinds, 20 per cent. *ad valorem*.	
Malt liquor, cider, and perry { per hogshead	– 15 –
Malt liquor, cider, and perry { per dozen bottles	– – 9
Cigars { per thousand	– 8 –
Cigars { per lb.	– 1 –
Tobacco and snuff, of all kinds (other than cigars), per lb.	– – 2
Oxen and cows, per head	– 4 –

And on other Goods an *ad valorem* duty of 5 per centum.

EXEMPTIONS.

Bullion.
Books, not reprints of British publications.
Coin.
Coals.
Diamonds.
Fresh Fruit.
Ice.
Implements and boats for whaling.
Manures.
Gravestones and monuments in memory of persons deceased.
Specimens of natural history.
Plants and trees for planting.
Provisions and stores of every description for the use of Her Majesty's Forces and Convict Establishment.
Passengers' baggage, apparel, and professional apparatus.
The personal household effects of inhabitants of these islands dying abroad, not intended for sale.
Scientific implements imported for private use, and not intended for sale.
Shrubs.
Seeds for planting.
Fresh vegetables and potatoes.
Empty barrels.
Barley for malting purposes.
Malt and hops.
Cotton wool.

7.—BRITISH COLUMBIA.

(Not received.)

Part II.

West Indies and Mauritius.

8.—JAMAICA.

(Transmitted in Governor's Despatch, No. 7, of 6th January 1865.)

SCHEDULE of Duties levied on Imports and Exports during the Year ending 31st December 1864.

SCHEDULE of the Duties on Imports now levied in the Colony of *Jamaica*, on and from the 23rd day of January 1862 (25 Vict. cap. 8).

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £. s. d.
Ale, per tun	5 7 –
Asses, per head	– 5 –
Bacon, per cwt.	– 10 –
Barley (not being pearl barley) per bushel	– – 3
Beef:	
Dried, per cwt.	– 10 –
Salted, or cured, per barrel of 200 lbs.	– 10 –
Beans, per bushel	– – 3
Beer, per tun	5 7 –
Birds	Free.
Books, printed, and printed papers, including maps	Free.
Bread or biscuit, per cwt.	– 6 –
Bricks, per 1,000	– 4 –
Bullion	Free.
Butter, per cwt.	– 9 –
Calavances, per bushel	– – 3
Candles:	
Composition, per box of 56 lbs.	– 7 –
Tallow, per box of 56 lbs.	– 2 6
Wax, or spermaceti, per box of 56 lbs.	– 10 –
Cattle, neat, per head	– 10 –
Carriages not used for agricultural purposes, for every 100 *l.* value	10 – –
Carriages, carts, and waggons, used for agricultural purposes	Free.
Cheese, per cwt.	– 10 –
Cider, per tun	4 7 –
Clothing, army and navy, and undress	Free.
Coals	Free
Cocoa, per cwt.	– 10 –
Coffee, per cwt.	1 – –
Coin	Free.
Coke	Free.
Corn, Indian, per bushel	– – 3
Cotton wool	Free.
Diamonds	Free.
Dogs	Free.
Dyewoods	Free.
Drawings	Free.
Engravings and lithographs, and photographs	Free.
Fish:	
Dried or salted, per cwt.	– 2 6
Fresh	Free.
Smoked, not otherwise enumerated or described, per cwt.	– 4 –
Alewives, pickled, per barrel	– 2 –
Herrings, pickled, per barrel	– 2 –
Herrings, smoked, per box of 25 lbs.	– – 6
Mackerel, pickled, per barrel	– 4 –
Pickled, not otherwise enumerated or described, per barrel	– 4 –
Salmon, smoked, per cwt.	– 10 –
Salmon, wet or salted, per barrel	– 10 –
Flax	Free.
Flour:	
Rye, per barrel	– 8 –
Wheat, per barrel	– 8 –

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £. s. d.
Fruit, fresh	Free.
Goats, per head	– 2 –
Guano, and any other manure	Free.
Gums	Free.
Gunpowder, per lb.	– – 6
Hams, per cwt.	– 10 –
Hand machines for preparing fibre, spinning cotton, or wool	Free.
Hay and straw	Free.
Hemp	Free.
Hides, raw	Free.
Horses, mares, and geldings, per head	1 – –
Hogshead shooks, each	– – 6
Hydraulic presses and printing presses, for every 100 *l.* value	4 – –
Ice	Free.
Iron:	
Galvanized, for every 100 *l.* value	4 – –
Ditto, for roofing	Free.
Indigo, per lb.	– – 3
Lard, per cwt.	– 5 –
Leeches	Free.
Matches, lucifers, and others, per gross of 12 dozen boxes, each box to contain 100 sticks; and boxes containing any greater or lesser quantity to be charged in proportion	– 5 –
Malt dust	Free.
Marble, in slabs or blocks, per 100 *l.* value	4 – –
Machines (horse-power), per 100 *l.* value	4 – –
Meat:	
Fresh	Free.
Salted or cured, per barrel of 200 lbs.	– 10 –
Meal, not wheat, per barrel	– 1 –
Mills, whether for grinding canes, paint, coffee, corn, or grain of any kind, or for sawing boards, raising water or ore, set in motion by steam, horse, wind, or water power, per 100 *l.* value	4 – –
Molasses	Free.
Mules, per head	– 10 –
Necessaries (army and navy), including mess plate and furniture, band instruments, to be certified by the military and naval commanding officers as requisite or necessary	Free.
Oats, per bushel	– – 3
Oil cakes, whole or in powder, and other prepared food for animals	Free.
Oil, per gallon	– – 4
Paintings, in oil	Free.
Patent fuel	Free.
Pans for boiling sugar, whether of copper or iron, per 100 *l.* value	4 – –
Peas (not being split peas), per bushel	– – 3
Perry, per tun	4 7 –
Pipes for conveying fluids, per 100 *l.* value	4 – –
Plants, growing	Free.
Ploughs, plough-harrows, and harrow cultivators, clod-crushers, horse-hoes, dibbles, sowing machines, per 100 *l.* value	4 – –

8.—JAMAICA—*continued.*

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY.	ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY.
	£. s. d.		£. s. d.
Pork, salted or cured, per barrel of 200 lbs.	– 10 –	Tobacco:	
Porter, per tun	5 7 –	Manufactured, including Cavendish, for every pound weight	– – 6
Poultry	Free.	On every 100 lbs. weight of unmanufactured	1 1 –
Puncheon shooks, each	– – 6	Cigars, for every pound weight	– 2 6
Pumps for raising water, per 100 *l.* value	4 – –	Tongues:	
Railway truck-wheels, per 100 *l.* value	4 – –	Dried, per cwt.	– 10 –
Resins and rosin	Free.	Salted, or cured, per barrel of 200 lbs.	– 10 –
Rice, per cwt.	– 2 –	Tortoise-shell	Free.
Rice, undressed, per bushel	– 1 –	Tow	Free.
Salt, per cwt.	– – 1	Turtle	Free.
Salt, rock	Free.	Uniforms, prescribed by Her Majesty's regulations, or any law of this colony	Free.
Sarsaparilla	Free.	Vegetables, fresh	Free.
Sausages, dry or pickled, per cwt.	– 10 –	Wax, bees	Free.
Sheep, per head	– 2 –	Wheat, per bushel	– – 8
Slates	Free.	Wines, whether in bulk, or bottled, per tun	15 – –
Soap, per box of 56 lbs.	– 3 –	Wood:	
Soda, ash, or sub-soda	Free.	For 1,000 feet of pitch pine lumber, by superficial measure of one inch thick	– 12 –
Specimens, illustrative of natural history, mineralogy, and geology	Free.	For every 1,000 feet of white pine lumber, or other lumber, by superficial measurement of one inch thick	– 8 –
Spirits:		Shingles, cypress, more than 12 inches in length, per 1,000	– 4 –
Brandy, per gallon	– 7 –	Boston chips, and all shingles not otherwise enumerated or described, per 1,000	– 3 –
Gin, per gallon	– 6 –	Wood hoops, per 1,000	– 1 –
Rum, produce of, and imported from British possessions, per gallon	– 6 –	Staves and heading, red or white oak, or ash, per 1,000	– 4 –
Whiskey, per gallon	– 5 –	Wire, iron, for fences, and wire fencing, and iron standards and hurdles, and tomb railings, per 100 *l.* value	4 – –
Spirits of wine, alcohol, and all others pirits, cordials, or compounds, per gallon	– 8 –	Works of art, in marble, bronze, or other materials	Free.
Stills, or any part of a still, per 100 *l.* value	4 – –	And after these rates, for any greater or less quantity of such goods respectively.	
Steam-engines, or parts thereof, per 100 *l.* value	4 – –	On all other goods, wares, and merchandise, plantation supplies, and effects of every description not previously enumerated, for every 100 *l.* value	12 10 –
Sugar:			
Refined, per lb.	– – 2		
Unrefined, per cwt.	– 10 –		
Swine, per head	– 2 –		
Tallow, grease, or grease and slush	Free.		
Tea, per lb.	– 1 6		
Tierce shooks, each	– – 6		
Tiles:			
Marble, per 100 *l.* value	4 – –		
Earthen	Free.		

ADDITIONAL DUTIES on certain Articles of IMPORT, to be applied to "Main Road Purposes;" 27 Vict. cap. 6.

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY.	ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY.
	£. s. d.		£. s. d.
On each cwt. of codfish	– 1 –	On each barrel of pork	– 4 –
On each gallon of brandy	– 1 –	On each barrel of tongues	– 4 –
On each gallon of wine (in bottle)	– – 9¾	On each cwt. of rice	– 1 –
On each gallon of wine (in bulk)	– – 3¾	On each bushel of wheat	– – 4
On each gallon of gin	– 2 –	On each pound of manufactured tobacco	– – 2
On each gallon of British spirits	– 3 –	On each pound of leaf or unmanufactured tobacco	– – 1½
On each barrel of beef	– 4 –		

8.—JAMAICA—*continued.*

SCHEDULE of DUTIES on EXPORTS from the Colony of *Jamaica*, under 15 Vict. c. 39, being "An Act for the raising of Monies to be applied to the introduction of Free Labourers, and for other Purposes."

On every hogshead of sugar exported from this island, the sum of 2 *s.* 9 *d.*
On every puncheon of rum exported from this island, the sum of 2 *s.*
On every tierce of coffee exported from this island, the sum of 2 *s.*
On every bag of pimento of the weight of 120 pounds, or on every 120 pounds' weight of pimento exported from this island, the sum of 4 *d.*
Provided always, that for the purposes of this Act every three tierces of sugar exported shall be taken to be equivalent to two hogsheads, and every eight barrels to one hogshead; and every two hogsheads of rum shall be taken to be equivalent to one puncheon.

ADDITIONAL DUTIES on certain Articles of EXPORT under Act 24 Vict. c. 16, intituled, "An Act to make further Provision for Immigration into this Island."

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY.	ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY.
	£. s. d.		£. s. d.
Every hogshead of sugar exported	– 3 –	Ginger, at the rate of, per cwt.	– 1 –
Every puncheon of rum exported	– 2 6	Beeswax, at the rate of, per cwt.	– 2 –
Every tierce of coffee exported	– 4 –	Arrow-root, at the rate of, per cwt.	– 1 –
Pimento, per bag of 120 pounds, or on every 120 pounds	– – 6	Cocoa-nuts, at the rate of, per 1,000	– 1 –
Logwood and other dye-woods, lignum vitæ, ebony, and cocus wood, per ton, at the rate of	– 1 –	Honey, at the rate of, per cwt.	– 1 –
		Mahogany, at the rate of, per 1,000 feet, superficial measure	– 5 –

9.—BAHAMAS.

(Transmitted in Governor's Despatch, No. 284 of 16 December 1865.)

TABLE of IMPORT DUTIES, per 17 Vict. c. 2, in force for Two Years, under Act 28 Vict. c. 8. (24 February 1865.)

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY.	ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY.
	£. s. d.		£. s. d.
Ale:			
In wood, per gallon	– – 4	Corn meal, per barrel	– 1 –
In bottles (quarts), per dozen	– 1 –	Copper and yellow metals in sheets, copper and composition bolts and nails, per cwt.	– 6 –
Apples, per barrel	– 1 –	Currants, per cwt.	– 8 –
Biscuit and bread, per cwt.	– 2 –		
Brandy, per gallon	– 5 –	Flour:	
Butter, per cwt.	– 12 –	Wheat, per barrel	– 3 –
		Rye, per barrel	– 1 6
Calves, each	– 2 –	Figs, per cwt.	– 5 –
Candles:		Fish:	
Sperm, wax, and adamantine, or any composition of tallow and other substances, per cwt.	– 10 –	Dried or salted, per cwt.	– 2 –
Tallow, per cwt.	– 5 –	Pickled salmon, mackerel, and shad, per barrel	– 3 –
		Herrings, alewives, and other kinds not enumerated, per barrel	– 2 –
Cattle, cows, bulls, and oxen, each	– 8 –		
Cheese, per cwt.	– 9 –	Gin, whiskey, and other spirits not enumerated, per gallon	– 2 6
Colts and foals, each	1 – –		
Cocoa, per cwt.	– 3 –	Honey and syrup, per gallon	– – 2
Coffee, per cwt.	– 4 –	Horses, mares, and geldings, each	– 1 –
Cordials, per gallon	– 5 –	Hulks and materials of vessels, ad valorem	15 per cent.
Cider:			
In wood, per gallon	– – 1		
In bottles (quarts), per dozen	– – 3	Lard, per cwt.	– 6 –
Champagne, per dozen	– 1 6	Lumber, per 1,000 feet	– 8 –

9.—B A H A M A S—*continued.*

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY.
	£. s. d.
Meat, salted, or cured, per cwt.	– 5 –
Molasses, per gallon	– – 2
Mules and asses, each	– 10 –
Nails of iron, per cwt.	– 3 –
Oats and bran, per bushel	– – 3
Oils:	
Linseed, and other kinds unenumerated, per gallon	– – 6
Olive, sperm, and lard, and naphtha, and all other fluids used for burning, per gallon	– 1 –
Pitch, per barrel	– 1 –
Porter:	
In wood, per gallon	– – 4
In bottles (quarts), per dozen	– 1 –
Prunes, per cwt.	– 8 –
Raisins, per cwt.	– 8 –
Rice, per cwt.	– 1 6
Rosin, per barrel	– 1 –
Rum:	
Stronger than 18 per bubble, per gallon	– 3 –
18, and not weaker than 24 per bubble, per gallon	– 2 6
Weaker than 24 per bubble, per gallon	– 2 –
Segars:	
Per 1,000	– 4 –
Ad valorem	15 per cent.
Shingles:	
Cypress, per 1,000	– 2 –
Other than cypress, per 1,000	– 1 –

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY.
	£. s. d.
Soap, per cwt.	– 4 –
Sugar:	
Unrefined, per cwt.	– 5 –
White clayed, per cwt.	– 8 –
Refined, per cwt.	– 10 –
Syrup, per gallon	– – 2
Swine, per cwt.	– 2 –
Tar, per barrel	– 1 –
Tallow, per cwt.	– 3 –
Tea, of all sorts, per lb.	– – 9
Tobacco:	
Manufactured, per cwt.	– 14 –
Unmanufactured, per cwt.	– 5 –
Turpentine:	
Per barrel	– 1 –
Spirits of, per gallon	– – 3
Wines of all kinds:	
Per gallon	– – 6
Ad valorem	20 per cent.
Articles not enumerated, except such as are comprised in the table of exemptions, ad valorem	15 per cent.

These articles, if brought into the colony otherwise than by direct importation, are liable to a duty of 20 per cent. on the value at the port of entry, or on the price which they may realise at auction when sold or delivered for consumption.

Table of Exemptions.

Articles imported or supplied out of a bonded warehouse for the Colonial Service.

Articles imported or supplied out of a bonded warehouse for the use and accommodation of any officer of Her Majesty's Army and Navy on full pay, and doing duty within these islands, upon the production to the Receiver General, or other proper receiver, of a certificate signed by the officer commanding Her Majesty's troops in the colony or garrison, or by the senior naval officer on the station, as the case may be, that the articles claimed as exempt from duty are *bonâ fide* imported or supplied, as the case may be, for the purposes contemplated hereby.

Articles of every description imported or supplied from a bonded warehouse for the use of the Governor.

Bulbs and roots, seeds of all kinds, shrubs and trees imported for planting. Bullion, coin, copper, and composition, old, fit only to be re-manufactured. Cotton wool, Indian corn. Diamonds, dye-woods, and stuffs, and divi divi. Flax, fruits (apples excepted), and vegetables of all kinds, not in sugar or syrup, or otherwise preserved. Hemp. Ice, iron, old, fit only to be re-manufactured. Lignum vitæ. Mahogany, manures of all kinds, maps, metalline ores. Passengers' baggage, peas and beans, poultry, game, and fresh meat of all kinds, not preserved in any way, printed books and pamphlets, philosophical instruments and apparatus, provisions and stores of every description imported or supplied from a bonded warehouse for the use of Her Majesty's land or sea forces. Raw hides. Specimens of natural history, mineralogy, or botany. Tortoiseshell, tow, turtle, and fresh fish, not preserved in any way. Wax, wood, cedar and yellow.

£.20 per 100 *l.* import duty under Local Act, 11 Vict. c. 6, on certain books reprinted in any foreign country, for protecting the rights of British authors.

TABLE of Export Duties - - - - - - - - Nil.

10.—TURKS AND CAICOS ISLANDS.

(Transmitted in Governor's Despatch, No. 38 of 24 December 1866.)

TARIFF of these Islands, under Colonial Ordinances, No. 9 of 1865, and No. 10 of 1862, in force from the 4th November 1865 until the 1st January 1869.

IMPORTS.

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £. s. d.
Alcohol and spirits of wine, per gallon	– 4 –
Ale, beer, porter, cider, perry, in quart bottles, per dozen	– – 6
Ale, beer, porter, cider, in wood, per gallon	– – 2
Bay rum and Bay water, per gallon	– 1 –
Beans and pease, not split, per bushel	– – 3
Biscuit and bread, per 100 lbs.	– 1 4
Brandy, per gallon	– 4 –
Butter, per 100 lbs.	– 8 4
Bulls, cows, and oxen, each	– 6 3
Calves, each	– 2 –
Candles:	
Tallow, per 100 lbs.	– 3 –
Other than tallow, per 100 lbs.	– 6 3
Cheese, per 100 lbs.	– 6 3
Chocolate, per 100 lbs.	– 6 –
Cigars, per 1,000	– 10 –
Cocoa, per 100 lbs.	– 1 –
Coffee, per 100 lbs.	– 5 –
Cordials, per gallon	– 5 –
Cordage and rope, new, per 100 lbs.	– 4 2
Corn, and other unprepared grain not enumerated, per bushel	– – 2
Currants, raisins, figs, and prunes, per 100 lbs.	– 8 4
Fish:	
Dried or salted, per 100 lbs.	– 1 –
Pickled salmon, shad, and mackerel, per barrel	– 6 3
Pickled, in kits, and smoked fish, except herrings, per 100 lbs.	– 4 2
Not enumerated, per barrel	– 4 2
Flour: wheat, per barrel	– 3 9
Other than wheat, per barrel	– 1 6
Gin, whiskey, and other spirits not herein enumerated, per gallon	– 3 3
Hulls and materials of vessels derelict, wrecked, stranded, or condemned, ad valorem	15 per cent.
Lard, per 100 lbs.	– 4 2
Lumber, per 1,000	– 6 –
Meat, salted or cured, per 100 lbs.	– 4 2
Molasses, honey, and syrup, per gallon	– – 2
Oils:	
Olive and almond, per gallon	– 1 6
Sperm, per gallon	– 1 –
Lard, per gallon	– – 6
All other not enumerated, per gallon	– – 4
Paints, in oil, per 100 lbs.	– 4 2
Pitch, tar, rosin, and turpentine, per barrel	– 2 –
Rice, per 100 lbs.	– 1 –
Rum, 24° proof, per gallon	– 3 –
And one penny per gallon for every degree stronger; and for every degree weaker one penny less per gallon.	
Sheep, goats, lambs, and kids, each	– 1 –
Shingles:	
Cypress, per 1,000	– 2 –
Other than cypress, per 1,000	– 1 –
Shrub, per gallon	– 3 –
Soap, per 100 lbs.	– 3 –
Spirits of turpentine, per gallon	– – 3
Sugar:	
Refined, per 100 lbs.	– 8 4
Muscovado, per 100 lbs.	– 4 2
Clayed, and all other not enumerated, per 100 lbs.	– 6 3
Swine, per 100 lbs.	– 4 2
Tea:	
Green, per lb.	– – 6
Black, per lb.	– – 4
Tobacco:	
Manufactured, per 100 lbs.	– 8 4
Unmanufactured, per 100 lbs.	– 4 2
Wines, per gallon	– 1 –
And ad valorem	10 per cent.
Articles not enumerated in the above Scale of Duties, except such as are comprised in the Table of Exemptions set forth in this Ordinance, shall pay a duty of 10 *l.* per cent. ad valorem	10 per cent.

Note 1.—All goods, the duties upon which are not less than 1 *l.*, and wrecked property without such restriction, may be warehoused on first importation, and exported from the warehouse, without payment of any duties. And such goods may also be transferred from a warehouse of any other warehousing port in the Colony; and when the Import Duties on first importation amount to or exceed 20 *l.*, a credit of six months is allowed. In like manner a credit of three months is allowed, when the Export Duty on salt amounts to or exceeds 10 *l.*

10.—TURKS AND CAICOS ISLANDS—*continued.*

Table of Exemptions.

Articles imported or supplied out of a bonded warehouse for the Colonial Service.

Articles of every description imported or supplied out of a bonded warehouse for the use of the President.

Asses, mules, and horses.

Boats and materials for whale fishery.

Bullion, coin, and diamonds.

Cart harness, carts, cars, and drays, and parts thereof, and cart grease.

Coal, charcoal, and coke.

Cotton wool.

Drugs and medicines.

Dyewoods and dyes.

Flax, tow, and flax-seed.

Fruits and vegetables (fresh), and roots of all kinds.

Ginger, green or dried.

Hay and straw.

Ice, and articles preserved in ice.

Iron rails, and other manufactured materials for railroads and wharves.

Lignum vitæ.

Mahogany.

Machinery of all kinds used in the manufacture of salt.

Manures and earths of all kinds.

Maps and charts.

Nuts, cocoa.

Oats, bran, shorts, ground feed, and ricemeal; oilcake and oil meal.

Ores and minerals.

Osnaburghs, and bagging and bags and sacks for salt.

Poultry.

Passengers' baggage and professional apparatus.

Printed books and pamphlets, not being reprints of British publications secured by copyright.*

Provisions and stores of every description imported or supplied from a bonded warehouse, for the use of Her Majesty's land or sea forces, and all cattle and other live stock imported by any contractor for the supply of fresh meat for the same.

Spades and shovels.

Specimens illustrative of Natural History.

Submarine apparatus and diving-dresses.

Sugar canes.

Tallow and raw hides.

Tannin.

Turtle and fish alive.

Tortiseshell.

Trees, shrubs, plants, and seeds for planting.

Prohibitions.

Gunpowder, ammunition, arms, or utensils of war, except from the United Kingdom or any British Possession; and base or counterfeit coin.

EXPORTS.

Salt, per bushel, one half-penny - - - - $\frac{1}{2}d.$

Note 2.—In this tariff, money is British sterling, and weights and measures Imperial; except the bushel measure for salt, which (under Ordinance No. 10, 1855, regulating weights and measures) contains 35 Imperial quarts. There is also a Crown duty of 10 per cent. ad valorem, payable upon all salt exported, as a commutation to the Crown for granting in fee simple tenure of the salt ponds (Ordinance No. 1, 1863).

* Reprints of British publications secured by copyright are subject to a duty of 20 per cent. ad valorem, under 11 Vict. c. 6, Bahama Acts.

10.—TURKS AND CAICOS ISLANDS—*continued.*

Other Duties and Taxes not contained in the foregoing Tariff.

DUTIES AND TAXES.	RATE OF DUTY.	Authority under which Levied.
*Light Duty.		
Upon every vessel arriving at any port within these islands, and coming to an entry; except vessels of Her Majesty's Navy; vessels employed wholly as transports or store ships in Her Majesty's service and steamers; also, all vessels specially employed to convey public mails to these islands - - - - - - - - - - -	4 *d.* per ton of the registered tonnage of such vessel -	Ordinances No. 11 of 1849, and No. 20 of 1860.
Auction Duty.		
Upon the gross sales of all property sold by auctioneers at public auction	2 per cent. ad valorem -	Bahama Acts, 2 Vict. c. 6.
Tax on the Sale of Vessels.		
Upon the gross sales of all vessels not registered as belonging to these islands - - - - - - - - - - - - -	2½ per cent. ad valorem -	Bahama Acts, 2 Vict. c. 6.
Tax on dogs - - - - - - - - - - - - -	Males, 4 *s.* - - -	Ordinance No. 11 of 1855.
	Females, 6 *s.* - - -	
Licenses.		
To retail spirits - - - - - - - - - - -	25 *l.* - - - - -	Ordinance No. 1 of 1849.
Fee on license - - - - - - - - - - -	5 *l.* - - - - -	
To retail wine, malt liquors, and cordials - - - - - - -	14 *l.* 10 *s.* - - - -	Ordinances No. 15 of 1855, and No. 23 of 1860.
To keep ice refreshment houses - - - - - - - -	20 *l.* - - - - -	
To hawk goods - - - - - - - - - - -	2 *l.* 10 *s.* - - - -	Bahama Acts, 7 Will. 4, c. 10.
Pilot licenses, renewable only on vacancies - - - - - -	1 *l.* - - - - -	Ordinance No. 11 of 1861.
Wrecking licenses, varying, according to tonnage, from - - -	10 *s.* to 2 *l.* - - -	Ordinance No. 6 of 1860.
Marriage licenses - - - - - - - - - - -	10 *s.* - - - - -	Ordinance No. 5 of 1849.
License to sell old metal - - - - - - - - - -	2 *l.* - - - - -	Ordinance No. 6 of 1861.

PILOTAGE FEES for the TURKS and CAICOS ISLANDS. (Ordinance No. 11, 1861.)

TONNAGE.	Anchorage in Grand Turk Road, Salt Cay Road, Riding Place, Cockburn Harbour, and West Caicos.	HAWK'S NEST.
	£. *s.* *d.*	£. *s.* *d.*
50 tons and under - - - -	- 10 5	- 8 4 in and out, each.
Above 50 tons and not above 100 - - -	- 12 6	- 12 6 „ „
100 tons and not above 150 - - -	- 14 7	- 16 8 „ „
150 tons and not above 200 - - -	- 16 8	1 9 2 „ „
200 tons and not above 250 - - -	- 18 9	1 13 4 „ „
250 tons and not above 300 - - -	1 - 10	1 17 6 „ „
And above 300 tons, 1 *s.* for every 25 tons additional.		

N.B.—Outward pilotage and removals (if required) is one-half of pilotage inwards; except from Hawk's Nest, when full pilotage is charged.

A pilot remaining on board of a vessel at the request of the master (after her anchorage) is entitled to a fee of 8 *s.* 4 *d.* for every 24 hours.

A pilot detained on board of a vessel by the act of the master, when required to remove or pilot her outwards, is entitled to a fee of 3 *s.* per hour during such detention.

* For the maintenance of the lighthouse on Grand Turk, first lighted on the 9th October 1852.

11.—TRINIDAD.

(Transmitted in Governor's Despatch, No. 128 of 22 November 1866.)

TABLE of DUTIES for 1867.

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £.	s.	d.
IMPORTS:			
Animals (living), viz.:			
Asses, each	–	2	1
Goats, each	–	1	–
Kids, each	–	–	6
Oxen and bulls, each	–	2	1
Cows, each	–	2	1
Calves, each	–	1	–
Horses, mares, geldings, colts, and foals, each	2	–	–
Mules, each	1	–	–
Sheep, each	–	2	–
Lambs, each	–	1	–
Swine and hogs, each	–	1	–
Pigs (sucking), each	–	–	6
Bricks, the 1,000	–	1	–
Butter, the lb.	–	–	1
Candles:			
Tallow, the 100 lbs.	–	2	1
Wax, sperm, composition, and all others, the 100 lbs.	–	6	–
Carriages:			
On springs, four-wheeled, each	7	–	–
On springs, two-wheeled, each	4	–	–
Cheese, the 100 lbs.	–	5	–
Chocolate, the lb.	–	–	1
Cocoa, the 100 lbs.	–	5	–
Coffee, the 100 lbs.	–	5	–
Coals, the hogshead	–	1	–
Loose, the ton	–	–	3
Corn, the bushel	–	–	2½
Cotton:			
Linen, wool, manufactures of, or cotton or linen, or wool mixed with any other material (except silk), for every 100 *l.* of value	5	–	–
Crackers, and other breadstuffs, the barrel	–	–	7½
Engines:			
Machinery, sugar pans, and apparatus used for the manufacture of sugar, or other produce, for every 100 *l.* of value	3	10	–
Fish:			
Dried or salted, the 100 lbs.	–	1	–
Pickled, the barrel	–	2	6
Flour, the barrel of 196 lbs.	–	5	–
Gloves, for every 100 *l.* of value	10	–	–
Gunpowder, the lb.	–	–	3½
Haberdashery, for every 100 *l.* of value	10	–	–
Hair:			
Manufactures of hair or goats' wool, or of hair or goats' wool mixed with any other material, for every 100 *l.* of value	5	–	–
Iron:			
Manufactures of iron, copper, brass, tin, lead, or zinc, mixed or unmixed with any other metal or material, and all other manufactures known as hardware, for every 100 *l.* of value	5	–	–
Jewellery and watches, for every 100 *l.* of value	10	–	–
Lard, the 100 lbs.	–	2	6
Leather, manufactured or unmanufactured (except gloves), for every 100 *l.* of value	5	–	–

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £.	s.	d.
Imports—*continued.*			
Lime:			
Building, the hogshead	–	1	–
Temper, for every 100 *l.* of value	3	10	–
Lumber, white, spruce, and pitch pine, the 1,000 feet	–	6	3
Malt liquor:			
In wood, the 64 gallons	–	10	–
In bottles, the dozen quart bottles, and so in proportion	–	–	6
Manures, for every 100 *l.* of value	3	10	–
Matches, lucifer, for every gross of boxes or other package, each box or package containing not more than 120 matches	–	2	6
Meal or other flour, not wheaten:			
The barrel	–	1	–
The puncheon	–	4	–
Meat:			
Salted or cured, the 100 lbs.	–	4	2
Tasso, 10 per cent. the 100 lbs.*			
Molasses, the gallon	–	–	6
Muskets, guns, and fowling-pieces, each	–	5	–
Gun barrels, each	–	5	–
Gun stocks, each	–	5	–
Oats, the bushel	–	–	2½
Oil, olive, the gallon	–	–	9
Opium, per lb.	–	10	–†
Peas and beans, the bushel	–	–	2½
Pitch, the barrel	–	–	6
Rice, the 100 lbs.	–	2	–
Shingles, the 1,000	–	1	–
Shooks, the bundle	–	–	6
Silk:			
Manufactures of silk, or of silk mixed with any other material, ribbons, for every 100 *l.* of value	10	–	–
Soap, the 100 lbs.	–	1	–
Spirits, strong waters, liquors, and cordials, the gallon	–	6	–
Staves, the 1,000	–	10	–
Sugar, refined or not, the 100 lbs.	–	10	–
Tar, the barrel	–	–	6
Tea, the lb.	–	–	2
Tiles:			
Pantiles and other roofing tiles, the 1,000	–	2	1
Paving tiles, the 100	–	1	–
Marble tiles, the 100	–	2	1
Draining tiles, for every 100 *l.* of value	3	10	–
Tobacco:			
Unmanufactured, the lb.	–	–	4½
Manufactured, including Negrohead, Cavendish, and snuff, the lb.	–	–	6
Cigars, the lb.	–	–	9
Turpentine, spirits of, the gallon	–	–	1
Wines in wood:			
French wines (except Vin de Côte and Muscat), the gallon	–	1	–
Vin de Côte, the gallon	–	–	2
Teneriffe, Canary, dry and sweet Malaga, Fayal, Sicilian wines, and Muscat, the gallon	–	–	8
Sherry, Madeira, Port, and all other wines not above enumerated, the gallon	–	1	–

* Order in Council, May 1864.

† Under Ordinance No. 24, of 1865.

11.—TRINIDAD—*continued.*

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £. s. d.
Imports—*continued.*	
Wines in bottles:	
(Except Muscat) the dozen quart bottles, and so in proportion	– 6 –
Muscat, the dozen quart bottles, and so in proportion	– 4 –
Non-enumerated articles, for every 100*l.* value	3 10 –
EXEMPTIONS:	
Coins, bullion, and diamonds; printed books, and poultry.	
Provisions and stores of every description, for the use of Her Majesty's land and sea forces.	
TABLE II.—TONNAGE:	
Upon all ships and vessels coming to and entering at this Colony, the following duties of tonnage, namely:—	
Upon every ship or vessel of 50 tons and upwards, for every ton of the registered tonnage of such ship or vessel	– 1 9
Upon every ship or vessel of 25 tons and upwards, but under 50 tons, for every ton of the registered tonnage of such ship or vessel	– 1 3
And upon every ship or vessel under 25 tons, for every ton of the registered tonnage of such ship or vessel	– – 3

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £. s. d.
Table II.—Tonnage—*continued.*	
Provided always, that no such duty of tonnage shall be payable in respect of any vessel entering and clearing in ballast; and provided, that where any ship or vessel, of which the registered tonnage shall be less than 50 tons, shall enter more than twice in one and the same year, the duty of tonnage payable upon or in respect of such vessel, for every entry after the second in the same year, shall be 3*d.* per ton, and no more.	
TABLE III.—WHARFAGE:	
And upon the following goods landed upon any public wharf or quay in the town of Port of Spain, the following rate of wharfage to be paid by the importer:	
On every 1,000 feet of lumber	
On every 1,000 staves, or staves in shook	
On every 1,000 bricks	
On every 1,000 tiles	
On every 1,000 slates	– 1 –
On every 1,000 shingles	
On every hogshead of lime	
On every hogshead of coal	
RUM DUTY:	
Rum, and all other spirits manufactured in the Colony, per gallon	– 4 2

AN ORDINANCE Enacted by the Governor of *Trinidad*, with the Advice and Consent of the Legislative Council thereof, for Levying Duties on Pitch, Asphalt, and Petroleum Exported from this Colony. 1st March.

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £. s. d.
For every ton of asphalt or pitch in a crude state	– – 6
For every 240 gallons of liquid pitch or asphalt in a crude state	– – 6
For every ton of pitch or asphalt, boiled	– 1 –
For every 240 gallons of petroleum, crude	– 2 –

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £. s. d.
For every 240 gallons of petroleum, distilled	– 3 8
For every 240 gallons of petroleum, distilled and refined	– 4 –
And so in proportion for any greater or less quantities.	

EXPORT DUTY.

AN ORDINANCE Enacted by the Governor of *Trinidad*, with the Advice and Consent of the Legislative Council thereof, for raising Funds in Aid of Immigration, for the Year 1867. 18th September.

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £. s. d.
Upon all Sugar:	
For every hogshead	– 5 –
For every tierce	– 3 4
For every barrel	– – 10
Molasses:	
For every puncheon	– 1 8
For every tierce	– – 10
Rum, for every puncheon	– 3 4
Cocoa, for every 100 lbs.	– 1 1
Coffee, for every 100 lbs.	– – 10

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £. s. d.
Where any such produce shall be exported in any package except those above-mentioned, such duties and charges shall be raised, levied, collected, and paid at the following rates; that is to say:—	
On sugar, for every 1,000 lbs.	– 3 4
On molasses, for every 100 gallons	– 1 10
On rum, for every 100 gallons	– 3 4

11.—TRINIDAD—*continued.*

WHARF IMPROVEMENT.

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £.	s.	d.
Agricultural Implements:			
Cane-top cutters, each	–	–	3
Carts (including wheels), each	–	–	6
Corn mills, each	–	–	3
Corn shellers, each	–	–	3
Harrows, each	–	–	3
Oat bruisers, each	–	–	3
Ploughs, each	–	–	3
Trucks, each	–	–	3
Waggons (including wheels), each	–	1	–
Wheels (waggon and cart), each	–	–	3
Bags:			
Beans, per bushel	–	–	1½
Bran, per bushel	–	–	1½
Corn, per bushel	–	–	1½
Oats, per bushel	–	–	1½
Salt, per bushel	–	–	1½
Coolie stores, per bag	–	–	3
Cocoa, per bag	–	–	3
Corks, per bag	–	–	3
Guano, per bag	–	–	3
Garlic, per bag	–	–	3
Pepper, per bag	–	–	3
Rice, per bag	–	–	3
Barrels:			
Beef or pork, each	–	–	6
Liquors of all descriptions in bottles, each	–	–	6
Pitch, tar, or resin, each	–	–	6
Sugar, each	–	–	6
Breadstuffs, each	–	–	4½
Corn meal, each	–	–	4½
Flour, each	–	–	4½
Filberts, nuts, or walnuts, each	–	–	4½
Onions, each	–	–	4½
Pickled fish, each	–	–	4½
Potatoes, each	–	–	4½
Salt, each	–	–	4½
Half, quarter, or eighth barrels, in proportion to rates charged on barrels.			
Bricks, in addition to old wharfage, per 1,000	–	1	–
Baskets, boxes, cases, chests and hampers:			
Candles, per 100 lbs.	–	–	6
Cheese, per 100 lbs.	–	–	6
Soap, per 100 lbs.	–	–	6
Drugs and chemicals, each	–	–	3
Figs, each	–	–	1
Herrings, each	–	–	1
Pipes, each	–	–	1
Potatoes, each	–	–	1
Raisins, each	–	–	1
Vermicelli or maccaroni, each	–	–	1
Cigars, per 100 lbs.	–	1	–

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £.	s.	d.
Baskets, boxes, cases, &c.—*continued.*			
For quarts, per dozen, and in proportion for smaller bottles:			
Cider	–	–	3
Cordials	–	–	3
Liqueurs	–	–	3
Oil	–	–	3
Wines	–	–	3
Spirits	–	–	3
Tin plates, per box	–	–	3
Tobacco, manufactured, not being cigars, per 100 lbs.	–	–	6
Tea, per package	–	–	3
Carriages (except children's), each	–	5	–
Pianos	–	5	–
Bales, trusses, or coils:			
Cordage, per 100 lbs.	–	–	2
Hay, per 100 lbs.	–	–	2
Leather, per 100 lbs.	–	–	2
Tobacco leaf, per 100 lbs.	–	–	3
Butts or pipes:			
Oil, each	–	3	–
Malt liquor, each	–	3	–
Wine, each	–	3	–
Spirits or cordials, each	–	3	–
Bundles:			
Iron hoops, per bundle	–	–	1
Wood hoops, per bundle	–	–	1
Truss hoops, per bundle	–	–	1
Brooms, per bundle	–	–	1
Spades or shovels, per bundle	–	–	1
Buckets and pails in nests, per nest	–	–	3
Coals (in addition to old wharfage):			
Hogsheads, each	–	1	–
Puncheons and tierces, each	–	–	6
Loose, per ton	–	2	–
Crates, each	–	2	–
Demijeans and carboys:			
Empty, per dozen	–	–	3
Full, each	–	–	3
Dry goods and stationery, every package	–	2	–
Firkins, each	–	–	2½
Fish:			
Dried, per 100 lbs.	–	–	3
Pickled, per barrel	–	–	4½
Pickled kits, each	–	–	1

11.—TRINIDAD—*continued.*

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £.	s.	d.
Hogsheads:			
Malt liquor, each	–	1	6
Oil, each	–	1	6
Turpentine, each	–	1	6
Matches, each	–	1	6
Vinegar, each	–	1	6
Wine, each	–	1	6
Tobacco, each	–	6	–
Hams or bacon, loose or in packages, per 100 lbs.	–	1	–
Hardware:			
Anchors, anvils, axles, bars, rods, bolts, cannons, cables, loose iron pots, lead, shot, stoves, iron wheels, &c., per 100 lbs.	–	–	2½
Boilers, cylinders, engines and heavy machinery not specified, per 100 lbs.	–	–	1
Sugar pans and stills, not exceeding the capacity of 100 gallons (and for larger sizes in proportion.)	–	–	3
Hogsheads, each	–	2	–
Puncheons or tierces, each	–	1	–
Barrels, each	–	–	6
Cases, except tin, each	–	–	6
Kegs, each	–	–	1
Kegs, jars, and tins:			
Chemicals, each	–	–	1
Crackers and breadstuffs, each	–	–	1
Butter, each	–	–	1
Gunpowder, each	–	–	1
Mill grease, each	–	–	1
Lard, each	–	–	1
Olives, each	–	–	1
Peas, each	–	–	1
Paint and paint oil, each	–	–	1
Sago or barley, each	–	–	1
Lime and cement, in addition to old wharfage:			
In rum hogsheads, each	–	1	–
In other hogsheads, each	–	1	6
In puncheons and tierces, each	–	1	–
In barrels, each	–	–	3
In kilderkins, each	–	–	2
In jars, each	–	–	1
Live stock:			
Horses and mules, each	–	2	6
Asses, each	–	1	–
Oxen, bulls, and cows, each	–	1	–
Calves, not being followers, each	–	–	6
Sheep, goats, and pigs	Free.		
Lumber, timber, &c., in addition to old wharfage:			
Lumber, per 1,000 feet	–	1	–
Spars, each	–	1	–
Shingles, per 1,000	–	–	6
Staves, per 1,000	–	1	–
Shooks, per bundle	–	–	1
Timber, per log	–	1	6
Railway sleepers, each	–	–	1
Fencing posts, each	–	–	1
Oars, per 1,000 feet	–	1	–
House frames, per 1,000 feet	–	1	–

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £.	s.	d.
Onions and garlic, loose or in strings, per 100 lbs.	–	–	2½
Quarter casks:			
Malt liquor, each	–	–	9
Oil, each	–	–	9
Spirits or cordials, each	–	–	9
Turpentine, each	–	–	9
Vinegar, each	–	–	9
Wine, each	–	–	9
Slates, tiles, &c., in addition to old wharfage:			
Slates, loose, per 1,000	–	1	6
Draining tiles and stones, per 1,000	–	1	6
Roofing tiles, per 1,000	–	1	6
Paving tiles and stones, per 1,000	–	1	6
Earthen pipes, per 1,000	–	1	6
Grindstones, each	–	–	3
Puncheons:			
Oats, each	–	1	6
Oilcake, not exceeding 500 lbs., each	–	1	–
Oilcake, above 500 lbs., each	–	1	6
Candles, each	–	1	6
Sugar, each	–	1	6
SUNDRIES.			
Hats:			
Common straw, per dozen	–	–	1
Maracaibo and Panama, per dozen	–	–	3
Earthenware, Martinique ware, assorted, per dozen	–	–	1
Spanish Main goods:			
Goglets and jars in nests, tasso, dried fish, cheese, brooms, &c.	Free.		
Rock salt, per ton	–	1	–
Hides, each	–	–	1
Starch, per bundle	–	–	1
Furniture, each case	–	2	–
Furniture, every other package	–	–	6
Poultry, ground provisions, ice, fresh fruits, and vegetables not enumerated, provisions and stores imported for the use of Her Majesty's troops and naval forces	Free.		
Articles not specially enumerated or exempted:			
Every puncheon or hogshead	–	1	–
Every quarter-cask or barrel	–	–	6
Every other package	–	–	3

12.—BRITISH GUIANA.

(Not received.)

13.—BRITISH HONDURAS.

(Not received.)

14.—BARBADOS.

(Transmitted in Governor's Despatch, No. 555 of 21st January 1867.)

DUTIES on IMPORTS levied under Act of 17 December 1862.

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £. s. d.
Arrowroot, touslesmois, and all other starches, the 100 lbs.	– – 10
Bread, of all kinds, the 100 lbs.	– – 5
Bricks, the 1,000	– 2 1
Butter, the 100 lbs.	– 6 3
Candles:	
Tallow, the 100 lbs.	– 4 2
Other kinds, the 100 lbs.	– 8 4
Cattle, neat or horned, the head	– 8 4
Cement, the barrel	– 1 –½
Cheese, the 100 lbs.	– 6 3
Cigars, the 1,000	1 5 –
Coal, and mixed preparations thereof, the ton	– 2 1
Cocoa, the 100 lbs.	– 1 –½
Copper, sheet, the 100 lbs.	– 1 –½
Cordage (except twines), the 100 lbs.	– 1 –½
Corn and grain, unground, the bushel	– – 2½
Fish:	
Dried, salted, or smoked, the 112 lbs.	– – 2
Pickled, the barrel of 200 lbs.	– – 4
Flour:	
Wheat or rye, the barrel	– 3 6
Indian meal, or other kind, the barrel	– 1 –
Gin:	
On every gallon, of or under the strength of 25, by the hydrometer called the bubble	– 2 1
And for every higher degree of strength, on each gallon an additional sum of	– – 1
Hoops, wood, the 1,200	– 2 6
Horses, each	1 13 4
Lard, the 100 lbs.	– 3 4
Lead:	
Sheet or pipe, the 100 lbs.	– – 5
White, the 100 lbs.	– 1 –½
Lumber, white, yellow pitchpine, and spruce, one inch thick, the 1,000 feet superficial	– 2 1
Malt Liquor:	
In wood, the cask not exceeding 64 gallons	– 4 2
In bottle (reputed quarts), the dozen	– – 3

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £. s. d.
Matches, lucifer and others, per gross of 12 dozen boxes, each box to contain 100 sticks; and boxes containing any greater or less quantity, to be charged in proportion	– 2 6
Meat, salted or cured, the 100 lbs.	– 4 2
Mules, each	1 5 –
Oil meal and oil cake, the 100 lbs.	– – 4
Oil, Kerosine, the gallon	– – 2
Rice, the 100 lbs.	– – 5
Shingles:	
Wallaba, or cypress, the 1,000	– 2 1
Other kinds, the 1,000	– 1 –½
Snuff, for every 100 *l.* of the value	25 – –
Soap, for every 100 lbs.	– 1 –½
Spirits (other than gin and rum) and cordials, the gallon	– 3 4
Staves or shooks, per 1,200 pieces	– 2 6
Syrup, cane, the gallon	– 1 –½
Tea, the lb.	– – 2½
Tobacco, the lb.	– – 2½
Wines, for every 100 *l.* of the value	15 – –
Not being prohibited to be imported for consumption into this island by any Act or Acts of the Imperial Parliament:	
Coffee, the 100 lbs.	– 2 1
Molasses, the 100 lbs.	– 1 –½
Rum, on every gallon, of or under the strength of 25, by the hydrometer called the bubble	– 2 8
And for every higher degree of strength, on each gallon an additional sum of	– – 1
Sugar:	
Refined, the 100 lbs.	– 7 6
Raw, or muscovado, the 100 lbs.	– 2 1
All other kinds, the 100 lbs.	– 5 –
Not being imported into this island from any place from which they are prohibited by any Act or Acts of the Imperial Parliament to be imported:	
Gunpowder, blasting, the keg of 25 lbs.	– 1 –½
All other articles not herein particularly enumerated or excepted	3 per cent. ad valorem.

14.—BARBADOS—*continued.*

Table of Exemptions.

The following Articles are not to be subject to Duty under this Act:

Articles for the use of the Governor of the island and Commander of the Forces for the time being.

Building materials and supplies for the use of Her Majesty's army and navy; military clothing, accoutrements and appointments imported by officers of Her Majesty's army and navy for their use; and if any article on which duty shall have been paid at the time of importation be subsequently supplied for the use of Her Majesty's army and navy, the amount of duty on the article so supplied shall be repaid out of the Public Treasury of the island by the warrant of the Governor in Council, on the certificate of the Comptroller of Army Expenditure, or head of any naval or military department, or commanding officers of regiments.

Asphalte.

Blubber and heads and offals of fish.

Bullion, coin, and diamonds.

Calves (sucking) and foals.

Cassaripe.

Cider.

Cotton wool.

Cocoa-nuts.

Eggs.

Empty bottles, of glass or stoneware.

Fresh fish and turtle.

Fresh meats.

Fruit and vegetables.

Furniture, previously used.

Fuel wood and charcoal.

Gravel.

Green ginger.

Hay and straw.

Hoe sticks.

Hops.

Hulls, boats, masts, spars, apparel, tackle, and furniture of vessels condemned by survey, and on which tonnage duty shall have been paid.

Ice.

Leeches.

Lemon and lime juice.

Lime, building or temper.

Live and dead stock, not enumerated.

Logwood.

Manure.

Military clothing, accoutrements and appointments, exported from the United Kingdom, under the authority of Her Majesty's Treasury, for the use of Her Majesty's troops, and for the police force, and articles imported for the use of the Barbados Yeomanry Cavalry, Rifle Corps, Artillery, and Militia.

Nuts.

Old metals.

Organs and other musical instruments used in churches and chapels of every denomination.

Packages in which goods are imported (except trunks, new vats, hogsheads, and puncheons).

Passengers' baggage, containing apparel and articles of personal use, and professional apparatus.

Patterns or samples.

Perry.

Personal effects of individuals belonging to this island, dying abroad.

Pozzolano.

Printed or manuscript books, forms and papers, maps, charts, engravings, music, pictures, and statues.

Raw hides and skins.

Salt.

Sawdust.

Soda water and mineral water.

Specimens illustrative of natural history, seeds, bulbs, and roots of flowering plants or shrubs.

Tablets and tombstones.

Tallow.

Tar, pitch, resin.

Turpentine.

Turtle and tortoise shell, unmanufactured.

Wines and other liquors imported by military and naval messes, for the use of such messes.

All articles and supplies exempt from duty under this or the first recited Act shall, if purchased out of bond for the use of the persons having right to import the same free of duty, be taken without payment of duty, on proper certificates from the head of the department of the parties purchasing the same being produced to the Comptroller of the Customs, verifying the fact.

No. 15.—GRENADA - - - - -

No. 16.—TOBAGO - - - - -

No. 17.—ST. VINCENT - - - -

No. 18.—ST. LUCIA - - - - -

(Not received.)

19.—ANTIGUA.

(Transmitted in Governor's Despatch, No. 93 of 23 October 1866.)

STATEMENT of DUTIES imposed on ARTICLES IMPORTED into the Island of *Antigua* on the 1st day of October 1866.

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £.	s.	d.
Ale, beer, perry, cider, and porter, per dozen quart bottles	–	–	9
Ale, beer, perry, cider, and porter, in bulk, per tun	2	–	–
Asses, per head	–	4	2
Bread and biscuits, per 100 lbs.	–	2	–
Bricks and tiles, per 1,000	–	4	2
Candles:			
Tallow, per lb.	–	–	1
Other than tallow, per lb.	–	–	3
Coffee and cocoa, per lb.	–	–	1
Cigars, per 1,000	–	10	–
Cattle, per head	–	4	2
Fish, dried, per quintal	–	1	–
Fish, pickled, per barrel	–	2	–
Flour, per barrel	–	5	–
Flour, rye, per barrel	–	4	2
Fruit, dried and preserved, per lb.	–	–	2
Hams, bacon, tongues, beef, pork, lard, butter, cheese, and tallow, per lb.	–	–	1
Horses, per head	1	10	–
Mules, per head	1	–	–
Meal, or other flour, not wheat, per puncheon	–	8	–
Meal, or other flour, not wheat, per barrel	–	2	–
Meal, oilcake, or linseed, per 100 lbs.	–	–	10
Oil of all kinds, per gallon	–	–	6
Kerosine and other fluids for burning, per gallon	–	–	3
Onions, per 100 lbs.	–	–	6
Corn, per bushel of 55 lbs.	–	–	3
Peas, beans, barley, oats, calavances, and all other grain or pulse, per bushel	–	–	3
Potatoes, not being sweet, per barrel	–	1	6
Rice, per 100 lbs.	–	2	–
Sheep, goats, and swine, per head	–	1	–
Soap, per lb.	–	–	–½
Spirits:			
Brandy, per gallon	–	2	6
Gin, and all other spirits, per gallon	–	2	–
Spirits sweetened, and cordials and liqueurs, per gallon	–	4	–
Sugar, refined, per lb.	–	–	–½

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £.	s.	d.
Tea, per lb.	–	–	4
Tobacco:			
Leaf, per lb.	–	–	3
Manufactured, per lb.	–	–	4
Wines, whether bottled or not, on every 100 *l.* value	15	–	–
Wood:			
Pitch pine, per 1,000 feet	–	12	6
White pine, per 1,000 feet	–	8	4
Spruce pine, per 1,000 feet	–	8	4
Shingles, cypress, and wallaba, per 1,000	–	4	2
Shingles, cedar, pine, spruce, or other description, per 1,000	–	2	1
Wood hoops, per 1,000	–	5	–
Staves, per 1,000	–	10	5
Shooks, hogshead, puncheon, or tierce, per pack	–	–	9
And after these rates for any greater or less quantity of such goods respectively.			
All non-enumerated articles, 6 per cent. ad valorem.			
Packages, viz., butts, hogsheads, puncheons, tierces, and trunks, on their invoice value.			
Twenty-five per cent. additional on above duties since the 9th day of March 1866.			

TABLE OF EXEMPTIONS.

Personal baggage of passengers, bullion, coin, books, not being foreign reprints of English copyrights, maps and charts, ice, fresh meat, and fish not preserved, turtle, poultry, fruit not being dried and preserved, green vegetables, sweet potatoes, yams, tanniers, carrots, turnips, plants and shrubs, seeds of all kinds for planting, all machinery, and all apparatus for mills, steam engines, steam ploughs, and all apparatus for the manufacture of sugar, rum, or other produce, manures of all kinds, natural or chemical, and all substances to be used for manuring purposes, and stores of every description imported or supplied for the use of Her Majesty's Land and Sea Forces, and all things imported into this colony for the use of the Governor.

STATEMENT of DUTIES on ARTICLES the Produce of the Island of *Antigua*, on the EXPORTATION thereof, on 1st of October 1866.

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £.	s.	d.
Sugar - - - per hogshead	–	3	4
Ditto - - - per tierce	–	2	3
Ditto - - - per barrel	–	–	5
Cotton - - - per pound	–	–	–¼

20.—MONTSERRAT.

(Not received.)

21.—ST. CHRISTOPHER.

(Transmitted in Governor's Despatch, No. 155 of 19 October 1866.)

STATEMENT of DUTIES imposed on Articles Imported into the Island of *St. Christopher*, on the 1st day of October 1866.

	£.	s.	d.
Beans and peas, per bushel	–	–	6
Beef, pork, hams, and other salted or smoked meat, per 100 lbs.	–	4	2
Brandy, rum, and all other spirits, per gallon	–	1	6
Bread and biscuit, per barrel	–	1	–½
Butter, per 100 lbs.	–	8	4
Candles:			
Other than tallow, per 100 lbs.	–	12	6
Tallow, per 100 lbs.	–	6	3
Cattle, neat, and asses, per head	–	4	2
Cedar:			
Posts, per 100	–	8	4
Boards and square, per 1,000 feet	–	12	6
Cheese, per 100 lbs.	–	8	4
Cigars, for every 100 *l.* value	10	–	–
Cocoa, per 100 lbs.	–	5	–
Coffee, per 100 lbs.	–	5	–
Cordials and liqueurs, per gallon	–	3	–
Fish, pickled, smoked, or dried, per 100 lbs.	–	1	–½
Flour:			
Wheat, per barrel	–	4	2
Not wheat, including meal, per barrel	–	2	1
Hardwood, and other woods not enumerated, per 1,000 feet	1	13	4
Horses, per head	1	–	10
Lard, per 100 lbs.	–	4	2
Lumber:			
White pine, yellow pine, and spruce, per 1,000 feet	–	8	4
Pitch pine, ash, beech, elm, hackmatack, oak, and hickory, per 1,000 feet	–	12	6
Malt Liquor:			
Per hogshead	–	8	4
Per barrel	–	5	7
Per dozen	–	–	6
Mules, per head	–	10	5
Oats and corn, per bushel	–	–	3
Raisins, prunes, currants, figs, and citron, per 100 lbs.	–	8	4
Rice, per 100 lbs.	–	1	–½
Shingles:			
Cedar, pine, and spruce, per 1,000	–	2	1
Cypress and wallaba, per 1,000	–	4	2
Shooks, per bundle	–	–	4
Staves, per 1,000	–	8	4
Soap, per 100 lbs.	–	2	1
Sugar:			
Refined, or rendered by any process equal thereto, per 100 lbs.	–	8	4
Muscovado or Milado, per 100 lbs.	–	5	–
Tobacco:			
Leaf, per 100 lbs.	–	10	–
Manufactured, per 100 lbs.	1	–	–
Snuff, per 100 lbs.	1	–	–
Vinegar, per gallon	–	–	2
Wines, for every 100 *l.* value	15	–	–
Wood hoops, per 1,200	–	8	4
And on all articles not above enumerated, and not comprised in the subjoined Table of Exemptions, for every 100 *l.* value	8	–	–

EXEMPTIONS.

Passengers' baggage containing apparel and articles of personal use and professional apparatus, bullion, coin, printed or manuscript books, forms and papers, maps, charts, engravings, music, and pictures, ice, and meats preserved therein, fresh fish, turtle, fresh meats, fruit not being dried or preserved, green vegetables, poultry, plants and shrubs, seeds of all kinds for planting, specimens of natural history, rabbits, pigs, goats, sheep, leeches, manures, oil meal, coal, steam engines and sugar mills, and any part of the apparatus and machinery for ditto, clarifiers and steam pans, provisions and stores for the use of Her Majesty's Land and Sea Forces, organs and other musical instruments, and other articles for churches and chapels, tablets, tombstones, and railings for graves, articles imported for the public service of the island, or for the use of the officer administering the Government and his family, household furniture in use by persons coming to reside in this island, all packages except trunks, puncheons, vats, and sugar hogsheads.

Act No. 220, dated 31 August 1865, for seven years from that date, and until the expiration of the then sitting House of Assembly.

Memorandum.—By Act 233, dated 25 April 1866, 15 per cent. of the amount of duties payable in the before-mentioned Table have been remitted for one year from 6th April last.

21.—S T. C H R I S T O P H E R—*continued.*

STATEMENT of Duties on Articles the Produce of the Island of *St Christopher*, on the Exportation thereof, on 1st October 1866.

ARTICLES.	RATE. £. s. d.	ARTICLES.	RATE. £. s. d.
Sugar - - - - per hogshead - -	– 4 2	Molasses - - - per barrel - - -	– – 3
Ditto - - - per tierce - - -	– 3 7	Salt - - - - per barrel - - -	– – 1
Ditto - - - per barrel - - -	– – 6¼	Potatoes - - - per barrel - - -	– – 3
Rum - - - - per puncheon - -	– 2 1	Tous-les-Mois - per 100 lbs. - -	– – 6
Ditto - - - per hogshead - -	– 1 –½	Arrowroot - - - per 100 lbs. - -	– – 6
Molasses - - - per puncheon - -	– 1 –½	Cotton - - - - per 100 lbs. - -	– 1 –
Ditto - - - per hogshead - -	– – 6¼		

Act, No. 95, dated 20th August 1850, and Act, No. 101, dated 5th October 1852. No limitation.

Memorandum.—By Act 233, dated 25th April 1866, 15 per cent. of the amount of the above-mentioned duties have been remitted for one year from 6th April last.

STATEMENT of Duties imposed for Cavalry Tax on Articles the Produce of the Island of *St. Christopher*, on the Exportation thereof, on the 1st of October 1866.

ARTICLES.	RATE. £. s. d.
Sugar - - - - per hogshead - - - - - - - - -	– 4 2
Ditto - - - per tierce - - - - - - - - -	– 3 7
Ditto - - - per barrel - - - - - - - - -	– – 6¼

Act, No. 187, dated 15th August 1862. Five years from that date.

Memorandum.—By Act 233, dated 25th April 1866. Fifteen per cent. of the amount of the above-mentioned duties have been remitted for one year from 6th April last.

STATEMENT of Duties imposed for Immigration on Articles, the Produce of the Island of *St. Christopher*, on the Exportation thereof, on the 1st October 1866.

ARTICLES.	RATE. £. s. d.	ARTICLES.	RATE. £. s. d.
Sugar - - - - per hogshead - -	– 2 1	Molasses - - - per puncheon - -	– – 6¼
Ditto - - - per tierce - -	– 1 9½	Ditto - - - per hogshead - -	– – 3⅛
Ditto - - - per barrel - - -	– – 3⅛	Ditto - - - per barrel - - -	– – 1½
Rum - - - - per puncheon - -	– 1 –½		
Ditto - - - per hogshead - -	– – 6¼	Salt - - - - - per barrel - - -	– – –½

Act, No. 152, dated 8th day of March 1859. No limitation.

Memorandum.—By Act 234, dated 25th April 1866. Seventy-five per cent. of the amount of the above-mentioned duties have been remitted for one year from 17th April last.

22.—N E V I S.

(Not received.)

23.—VIRGIN ISLANDS.

(Not received.)

24.—DOMINICA.

(Transmitted in Governor's Despatch, No. 65 of 17 October 1866.)

RETURN of IMPORT and EXPORT DUTIES leviable in *Dominica*, up to 1st October 1866.

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £.	s.	d.
IMPORT DUTIES.			
[By virtue of an Act to continue in operation an Act entitled "An Act to alter the Schedule of Duties payable under the Import Duty Act, 1855."—Published 11th June 1866.]			
Ale, beer, cider, gazeuse, and porter, per gall.	–	–	4
Animals living; viz.:			
Asses, each	–	5	–
Horses, mares, and geldings, 14 hands and under, each	1	10	–
„ above 14 hands, each	2	2	–
Foals, each	–	10	6
Mules, each	1	–	10
Neat cattle, each	–	6	3
Other cattle, each	–	5	–
Calves, each	–	2	–
Pigs, sheep, and goats, each	–	1	6
Beef and pork, salted, per barrel of 200 lbs.	–	12	6
Bran, per bushel	–	–	3
Bread and biscuit, per 100 lbs.	–	4	2
Bricks:			
Fire, per 1,000	–	4	2
Other kinds, per 1,000	–	6	–
Butter, per lb.	–	–	1
Candles:			
Tallow, per lb.	–	–	1
Other kinds, per lb.	–	–	2
Cheese, per lb.	–	–	1
Coals, per ton	–	1	–
Cocoa, per 100 lbs.	–	3	–
Coffee, per 100 lbs.	–	6	–
Corks, per gross	–	–	3
Corn and Grain:			
Unground, per bushel	–	–	5
Not otherwise described, per bushel	–	–	5
Fish:			
Dried, salted, or smoked, per cwt.	–	2	6
Mackerel, per barrel	–	4	2
Herrings, per barrel	–	3	–
Flour:			
Wheat, per barrel of 196 lbs.	–	5	–
Other kinds, and meal, per barrel of 196 lbs.	–	2	6
Fruit:			
Dried, per lb.	–	–	2
In syrup or spirits, per gallon	–	2	6
Garlic, per cwt.	–	4	2
Hams, bacon, dried beef, sausages, and tongues, per 100 lb.	–	8	4
Lard, per 100 lbs.	–	6	3
Marble, squares of 12 inches, per 1,000	–	10	–
Nuts:			
Cocoa, not in full husk, per 1,000	–	15	–
Ground, per bushel	–	1	–
Almond, per 100 lbs.	–	5	–
Other kinds, per bushel	–	3	–
Oil:			
Olive, per gallon	–	–	9
Other kinds, per gallon	–	–	6
Onions, per cwt.	–	1	6
Pepper, per cwt.	–	4	2
Peas and beans, per bushel	–	–	6
Potatoes, not sweet, per 100 lbs.	–	1	–
Rice, per 100 lbs.	–	3	–
Rosin, tar, and pitch, per barrel	–	3	–
Sago, tapioca, and pearl barley, per 100 lbs.	–	4	2
Salt, common, not table or rock salt, per bar.	–	1	6
Soap, per 100 lbs.	–	3	–
Slates, per 1,000	–	6	–
Sugar:			
Refined, and candy, per 100 lbs.	–	8	4
Muscovado, per cwt.	–	3	–

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £.	s.	d.
IMPORT DUTIES—*continued*.			
Spirits, viz.:			
Brandy, per gallon	–	3	9
Gin, per gallon	–	2	–
Rum and other spirits, per gallon	–	3	9
Sweetened, and all other cordials and liqueurs, per gallon	–	3	9
Tea, per lb.	–	–	6
Tiles:			
Pan and roofing, per 1,000	–	4	2
Paving, per 1,000	–	4	2
Tobacco:			
Manufactured, per 100 *l.* value	20	–	–
Unmanufactured, 100 lbs.	1	–	10
Turpentine, liquid, per gallon	–	–	6
Vermicelli and maccaroni, per lb.	–	–	3
Vinegar, per gallon	–	–	4
Wines of all kinds, per 100 *l.* value	20	–	–
Wood:			
Hoops, per 1,000	–	5	–
Lumber, pitch pine, per 1,000 feet	–	12	6
Ditto, white and spruce pine, per 1,000 feet	–	8	4
Shingles, under 14 inches, per 1,000	–	2	6
Ditto, 14 inches and not exceeding 16 inches, per 1,000	–	4	–
Ditto, above 16 inches, per 1,000	–	5	–
Staves and heading, white or red oak, per 1,000 pieces	–	8	4
Staves, other kinds, per 1,000 pieces	–	5	–
Truss hoops, per set	–	1	–
Machinery, and other apparatus for mills and steam engines, and ploughs, per 100 *l.* value	5	–	–
Goods, not otherwise charged with duty, per 100 *l.* of the value	10	–	–

Note.—There is an addition of 10 per cent. on the foregoing rates, authorised by an Act to repeal an Act entitled "An Act to raise by loan a Sum of Money for the service of the Island, and to provide a fund for repayment of the same, and to substitute other provisions in lieu thereof."—Published 20th February 1866.

TABLE OF EXEMPTIONS.

Personal baggage of passengers, bullion, works of art, books, not being foreign reprints of English copyrights, coin, fresh fish, meat, fruit, not being dried or preserved, ice, maps, charts, green vegetables, poultry, plants and shrubs, seeds of all kinds for planting, live or fresh turtle, manures, of all kinds, and cocoa nuts in full husk.

EXPORT DUTIES.	£.	s.	d.
[By virtue of an Act entitled "An Act to raise a fund in aid of the Revenue of the Island." Passed 22nd December 1857. And to certain of which Rates there is an addition, as noted below, authorised by the Act of the 20th February 1866, before cited.]			
For every 100 lbs. of sugar	–	–	3
Additional	–	–	1
For every 100 lbs. of coffee	–	1	–
Additional	–	–	6
For every 100 lbs. of cocoa	–	–	6
Additional	–	–	6
For every 100 gallons of syrup	–	4	–
For every 100 gallons of molasses	–	2	6
For every 100 gallons of shrub	–	3	–
Additional	–	1	–
For every cord of firewood	–	1	–
Additional	–	–	6
For every bushel of farine manioc	–	–	3
For every bushel of starch	–	–	6
For every 100 gallons of rum	–	5	–

25.—MAURITIUS.

(Transmitted in Governor's Despatch, No. 293 of 6 December 1866.)

SCHEDULE of DUTIES levied in the Customs Department, *Mauritius*, with Tables of Quay Dues and Warehouse Rent, &c., as they stood on the 1st December 1866, specifying the Laws and Authorities under which such Duties, &c. are levied.

TABLE OF DUTIES ON IMPORTS.

DESCRIPTION OF GOODS.	RATES OF DUTY.	Authority under which Levied.
Dogs, imported from the United Kingdom, or from any possession in Europe or America	2 *l.* for each dog	Ordinance, No. 26 of 1845.
Wine, in casks of 50 gallons each	1 *l.* per cask	* Ordinance, No. 33 of 1863.
Wine, bottled	2 *s.* 6 *d.* per dozen bottles	
Spirits:		
Being rum or arrack, the produce or manufacture of the United Kingdom, or of any British possession in America, or of any of the British possessions within the limits of the East India Company's Charter, into which the importation of rum or arrack, the produce of any foreign country, or of any British possession into which foreign rum may be legally imported, is prohibited. (*See* Act 16 & 17 Vict. c. 107, s. 159)	6 *s.* 6 *d.* per gallon of any strength, not exceeding the strength of proof by Sykes's hydrometer, and so in proportion for any greater strength.	
Except rum or arrack		
Or cordials sweetened or mixed with any article, so that the degree of strength thereof cannot be exactly ascertained by Sykes's hydrometer	6 *s.* 6 *d.* per gallon	Ordinance, No. 32 of 1862.
Tobacco:		
Leaf or unmanufactured	6 *d.* per lb.	
Manufactured	8 *d.* per lb.	
Cigars and snuff	1 *s.* 4 *d.* per lb.	
Ale, beer, porter, cider, and perry, bottled	1 *s.* per dozen bottles	* Ordinance, No. 33 of 1863.
Ditto - - - ditto - - - in casks	1 *l.* per hogshead	
Bacon, butter, cheese, hams, tongues, and sausages	4 *s.* per cwt.	Ordinance, No. 9 of 1854.
Tea	1 *d.* per lb.	
Coffee		
Sugar, refined, and sugar candy (British produce, and foreign refined in bond in the United Kingdom)	4 *s.* per cwt.	
Bran and maize	4 *d.* per cwt.	* Ordinance, No. 33 of 1863.
Barley, beans, biscuit, bread, oats, peas, pollard, and wheat flour	6 *d.* per cwt.	
Dholl, gram, lentils, rice, and wheat	6 *d.* per bag of 164 lbs. English	
Beef and pork, salted	2 *s.* per cwt.	
Fish:		
Salted, dried, &c.	1 *s.* per cwt.	
Pickled	2 *s.* per barrel of 200 lbs.	
All other goods, wares, and merchandise, not otherwise charged with duty, and not hereinafter declared to be free of duty	6 per cent. ad valorem	Ordinances, No. 9 of 1854, and 11 of 1857.

TABLE OF EXEMPTIONS.

Animals, viz.:	Ordinance, No. 9 of 1854.
Horses, mules, asses, neat cattle, and all other live stock	
Animal charcoal	
Books and maps, except foreign reprints of British copyright works	
Bricks and tiles	
Churrah	
Coals, coke, and patent fuel	
Cocoa nuts	
Coin and bullion	
Copperah or poonac	

* *N.B.*—Ordinance No. 33 of 1863, will continue in force for another year, from 1st January 1867, under Ordinance No. 25 of 1866.

25.—MAURITIUS—Table of Exemptions—*continued.*

Firewood	Ordinance, No. 9 of 1854.
Fruits and vegetables, fresh	
Glass bottles, imported full	
Hay and straw	
Ice	
Leeches	
Lime	
Machinery and apparatus for the manufacture or improvement of sugar, rum, or other produce of the colony	
Manures of all sorts	
Paintings and drawings	
School materials for the use of free schools	
Sal ammoniac, saltpetre, and phosphate of soda	
Seeds intended for agricultural and horticultural purposes	
Slates and stones for building and paving	
Vacoa bags and leaves	
Provisions and stores of every description imported or supplied for the use of Her Majesty's land and sea forces, or for the Colonial Government	
Objects and specimens, animal, mineral, and vegetable, illustrative of natural history, including live plants and trees and vegetable productions connected with the study of botany	
Wearing apparel, baggage and instruments intended for professional use, the property of persons coming to the colony, if such property shall arrive within four months before or after the proprietor thereof shall arrive	
Articles of naval and military uniform intended for the personal use of the importer	
Goods, the growth, production, or manufacture of the dependencies of Mauritius	
Goods, the growth, production, or manufacture of Mauritius and its dependencies, and all goods upon which the full amount of duty (if any be due thereon) shall have been paid on their first importation into Mauritius, legally exported from thence, and afterwards returned, provided such goods shall be returned within three years from the date of their exportation, and it be proved to the satisfaction of the Collector of Customs that they are the identical goods exported from Mauritius, and provided the property of such goods continue in the person by whom or on whose account the same were exported	

Table of Prohibitions and Restrictions on Importation.

Gunpowder, ammunition, arms, or utensils of war, except from the United Kingdom or any British possession; and

Base or counterfeit coin, absolutely prohibited to be imported. Act 16 & 17 Vict. c. 107, s. 159.

Rum, the produce and manufacture of any British possession within the limits of the East India Company's charter (except rum the produce of any British possession within the said limits into which rum, the produce of any foreign country, or of any British possession into which foreign rum may be legally imported, has been prohibited) and rum of foreign produce or manufacture, prohibited to be imported into Mauritius, except to be warehoused for exportation only. Act 16 & 17 Vict. c. 107, s. 159.

Books wherein the copyright shall be subsisting, first composed, or written, or printed in the United Kingdom, and printed or reprinted in any other country, absolutely prohibited to be imported into Mauritius, provided the proprietor of such copyright, or his agent, shall have given notice in writing to the Commissioners of Customs that such copyright subsists, and when the same will expire. Act 16 & 17 Vict. c. 107, s. 160.

Note.—This prohibition is however suspended by Her Majesty's Order in Council of 1st April 1853, issued in pursuance of the Act 10 & 11 Vict. c. 95; but foreign reprints of copyright works are, by Ordinance No. 24 of 1851, liable, on importation into Mauritius, to a Duty of 20 per cent. ad valorem.

Articles of foreign manufacture, and any packages of such articles, bearing any names, brands, or marks being or purporting to be the names, brands, or marks of manufacturers resident in the United Kingdom, prohibited to be imported. Act 16 & 17 Vict. c. 107, s. 161.

Gandia (*Cannabis Indiæ*), opium prepared for smoking, indecent or obscene prints, paintings, books, cards, lithographic or other engravings, or any other indecent or obscene articles, and infected cattle, sheep, or other animals, prohibited to be imported. Ordinance No. 8 of 1854, Art. 12.

And if any goods be imported or brought into Mauritius contrary to any of the prohibitions or restrictions mentioned in the above table in respect of such goods, the same will be forfeited under the respective laws above referred to.

Dogs prohibited to be imported, except from places in Europe and America. Ordinance No. 26 of 1845.

25.—MAURITIUS—*continued.*

TABLE OF QUAY DUES LEVIED ON GOODS IMPORTED.

DESCRIPTION OF GOODS.	RATES OF DUES.	Authority under which Levied.
Class I.		
1. Bags, mats, bales, bundles, trusses, and other soft packages, not exceeding 75 lbs.	each, one halfpenny	Ordinances, Nos. 10 of 1848 and 9 of 1865.
2. Casks, kegs, boxes, parcels, not exceeding 25 lbs.		
3. Demi-johns, dubbers, cases, boxes, and casks, empty		
4. Jars, jugs, tins, not exceeding the content of 3 gallons		
5. Segars, in single or separate packages, or boxes of not more than 500		
6. Iron pots and kettles		
7. Hides, raw or tanned		
8. Single or loose bolts of canvas		
Class II.		
1. Bags, bales, bundles, mats, and trusses, above 75 lbs. and not exceeding 150 lbs.	each, one penny	
2. Casks or kegs, above 25 lbs. and not exceeding 75 lbs.		
3. Half boxes or smaller packages of tea not exceeding 12 lbs., and boxes and parcels exceeding 25 lbs.		
4. Jars, jugs, and tins, above 3 and not exceeding the content of 5 gallons		
5. Demi-johns and dubbers, not exceeding 6 gallons in capacity		
6. Segars, in single or separate packages, or boxes exceeding 500 and not exceeding 1,000	one penny	
7. Half tubs of sugar candy, oars	each, one penny	
8. Chairs		
9. Chinaware, earthenware	per 25 pieces, one penny	
10. Cocoanuts	per 100 in number, one penny	
11. Salted and dried fish	per cwt., one penny	
12. Gargoulettes, per 25	one penny	
13. Cheeses, not exceeding 12 lbs. in each, packed singly		
14. Cordage, cables, and hawsers	per cwt., one penny	
Class III.		
1. Bags, bales, bundles, mats, and trusses, above 150 lbs. and not exceeding 200 lbs	each, two-pence	
2. Casks or kegs, above 75 lbs. and not exceeding 100 lbs., or 25 gallons		
3. Boxes, cases, and baskets, not above 2 cubic feet in measurement, cases, and baskets, containing wine, oil, spirits, or other liquids, not exceeding 1 dozen bottles each		
4. Jars of almonds, sausages, biscuits, preserves, &c., exceeding the capacity of 5 gallons, or not above 100 lbs.		
5. Dubbers, &c., above the capacity of 6 gallons		
6. Iron and brass cauldrons		
7. Tubs of sugar candy and boxes of tea, exceeding 12 lbs.		
8. Horns, slates, bricks, and tiles	per 100, two-pence	
9. Grinding stones	each, two-pence	
10. Cheeses, packed singly, exceeding 12 lbs. and not exceeding 30 lbs.	each, two-pence	
11. Carrots of tobacco	per score, two-pence	
12. Turtles	per score, two-pence	
Class IV.		
1. Bags, bales, and bundles, above 200 lbs. and not exceeding 250 lbs.	each, three-pence	
2. Casks or kegs, above 100 lbs., or 25 gallons in content, and not exceeding 300 lbs., or 60 gallons in capacity		
3. Spars and masts		
4. Copper, in sheets	per cwt., three-pence	
5. Cheese, in tubs or in bulk		
6. Hams and dried beef		
7. Wax and rattans		
8. Shingles	per 1,000 in number, three-pence	

25.—MAURITIUS.—Table of Quay Dues levied on Goods Imported—*continued.*

DESCRIPTION OF GOODS.	RATES OF DUES.	Authority under which Levied.
Class V.		
1. Bags, bales, and bundles, above 250 lbs. and not exceeding 500 lbs. 2. Casks, above 300 lbs., or 60 gallons in content, and not exceeding 500 lb., or 100 gallons in capacity 3. Boxes, cases, trunks, and baskets, above 2 and not exceeding 4 cubic feet in measurement 4. Jars, containing almonds, sausages, &c., exceeding 100 lbs. in weight 5. Sugar pans 6. Slabs of marble 7. Anchors, not exceeding 500 lbs. weight 8. Horses, mules, and asses 9. Crates	each, four-pence	Ordinances Nos. 10 of 1848 and 9 of 1865.
Class VI.		
1. Bales, bags, and bundles, exceeding 500 lbs. 2. Casks, exceeding 500 lbs., or 100 gallons in capacity 3. Boxes, trunks, and baskets, above 4 cubic feet in measurement, chests or cases of tea, cigars, or other goods having inner packages 4. Anchors, exceeding 500 lbs. 5. Pianofortes	each, eight-pence	
Class VII.		
1. Wood, stone, iron, lead, and other heavy goods, machinery, boilers, chain cables, ordnance, iron tanks, and boats	per ton, one shilling	
Class VIII.		
1. Carriages of all sorts	each, two shillings	

N. B.—Goods landed from ships entering the port in distress to pay half the above rates.

Table of Exemptions.

Government military and naval stores.

Passengers' baggage.

Goods landed from coasting vessels, and vessels trading to the dependencies.

Goods landed from vessels belonging to his Highness the Imaum of Muscat.

Ice.

Guano manure.

TABLE OF DUTIES ON EXPORTS.

DESCRIPTION OF GOODS.	RATE OF DUTY.	Authority under which Levied.
Sugar, the produce of Mauritius	For every 100 lbs. net, French weight, 3*d.*	Ordinance No. 31 of 1853.

25.—MAURITIUS—*continued.*

TABLE of CHARGES for WAREHOUSE RENT, per COMMERCIAL TARIFF.

	s.	d.
Sugar, coffee, pepper, rice, and grain, in bags, per ton per month	1	3
All other goods, not being liquids	1	8
Wines and other liquids, in casks	2	–
Piece goods and other goods	3	–

When there are odd days, the month is reckoned by six parts; one, two, three, or four days are counted five days, and so on for any not exceeding five days.

TABLE of QUEEN'S WAREHOUSE RENT.

All Articles introduced for Sale, Private Use, or amongst Passengers' Luggage, when secured in the Queen's Warehouse for Examination or for the Duties, if not removed within Three Days after the authorization of their Delivery, are charged as follows:

Levied under Government Notice of 8th May 1827.	If not exceeding 15 Days.		Above 15 Days, and not exceeding a Month.		If exceeding 30 Days or a Month, for every 30 Days.	
	s.	d.	s.	d.	s.	d.
If not exceeding one-fourth of a ton	–	6	1	–	1	–
If above one-fourth and not exceeding half a ton	1	–	2	–	2	–
If above one-half and not exceeding three-fourths of a ton	1	6	3	–	3	–
If above three-fourths and not exceeding one ton	2	–	4	–	4	–
If above a ton, to be charged at the rate per ton of	2	–	4	–	4	–

TABLE OF DUTIES ON LICENSED BOATS.

On boats, barges, lighters, or other craft employed in loading or unloading vessels, or in supplying or discharging ballast	4 s. per ton per annum.	Ordinance No. 12 of 1848. Art. 4.

Note.—By Government Notice of 3rd December 1827, the holders of annual licenses to the extent of 100 tons are privileged to have additional boats licensed by the month during the rainy season and the period during which the produce of the island is most extensively shipped.

Part III.

African Settlements and St. Helena.

26.—SIERRA LEONE.

(Not received.)

27.—GAMBIA.

(Transmitted in Governor's Despatch, No. 170 of 24 March 1866.)

RETURN of Duties levied on Articles Imported into and Exported from the British Settlements on the River *Gambia*, for the Year 1865.

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £. s. d.
IMPORTS:	
Upon all spirits, absinthe, or strong waters, except brandy, not being sweetened or mixed with any article	– – 6
Upon all liqueurs, cordials, or sweetened spirits, per gallon	– – 9
Upon all brandies, without reference to strength, per gallon	– 1 –
Upon all wines, without reference to strength, per gallon	– – 9
Upon all wines (except the low red Provence wine of France), imported direct from Marseilles, an additional duty per gallon of	– – 3
Upon all tobacco, manufactured or in leaf, per lb.	– – –½
Upon all Colah nuts, per basket not exceeding 336 lbs. gross	– 10 –
Upon all Colah nuts, an additional duty of	– 5 –
Upon all palm wine, imported or made in St. Mary's Island, per gallon	– – 6
Upon all palm wine, an additional duty of	– – 3
Upon sugar, per lb.	– – 1
EXPORTS:	
Upon ground-nuts, per imperial bushel	– – 3¼
Upon hides, each	– – 2

No. 28.—GOLD COAST.

(Not received.)

No. 29.—ST. HELENA.

(Transmitted in Governor's Despatch, No. 147 of 22 September 1866.)

TABULAR STATEMENT of the DUTIES and other CUSTOMS CHARGES levied on Articles Imported into this Colony, corrected to the 30th June 1866.

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £. s. d.
ORDINANCE, No. 4 of 1864.	
DUTIES:	
Tobacco:	
Not manufactured, per lb.	– – 6
Manufactured, cigars and snuff, per lb.	– 1 –
Excepting when cleared from bond as cargo, and borne on the ship's manifest.	
Spirits, per gallon	– 10 –
Beer:	
In bottles, the dozen quart bottles	– – 6
All other sorts, the hogshead	– 10 –
Wine, per gallon	– 2 3
WHARFAGE:	
Every pipe, puncheon, butt, cask, jar, keg, carboy, and can, of whatever description, of the size and measure of 80 gallons and upwards	– 4 –
40 gallons and under 80 gallons	– 3 –
10 ditto and under 40 ditto	– 2 –
Except half barrels of flour.	
Less than 10 gallons and half barrels of flour	– 1 –
Every case, box, chest, trunk, bale, crate, basket, or other package, measuring—	
60 cubic feet and upwards	– 12 –
40 ditto and under 60 cubic feet	– 8 –
20 ditto and under 40 ditto	– 6 –
10 ditto and under 20 ditto	– 4 –
3 ditto and under 10 ditto	– 2 –
Under 3 cubic feet	– 1 –
Every bag of whatever description	– 1 –
Bricks, slates, tiles, shingles, laths, and staves, per 1,000	– 4 –
Cocoa-nuts, per 1,000	– 5 –

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £. s. d.
Ordinance, No. 4 of 1864—*continued.*	
Wharfage—*continued.*	
Timber, per cubic foot	– – 2
Oil-cake, stones, guano, anchors, chains, in bulk per ton, or boats per ton measurement	– 2 6
Coals and patent fuel, per ton	– 3 –
Horned cattle, mules and asses, horses, each	– 5 –
Sheep, goats, pigs, calves, each	– 1 –
Heavy articles, and goods not enumerated, per cwt.	– – 3
Condemned vessels for demolition, with their tackle, apparel, and furniture, per ton measurement	– 1 3
All articles of whatever description, not included in the above, each	– – 6
One-half of the foregoing wharfage dues to be charged on goods landed from ships or vessels discharging for repairs, and on empty casks and tanks landed from vessels which are to be broken up.	
Oil-cake, guano, copper-ore, coals, patent fuel, and sand, may, for convenience, be landed in bags or other packages, paying wharfage on the bulk if so stowed on board the importing ship.	
EXCEPTIONS:	
Trees, plants, shrubs, coin, empty cases, casks, or tins, for the purpose of being filled for immediate re-shipment on board of the same vessel from which they were landed; stores and clothing for Her Majesty's service, natural curiosities, and green fruits.	
PERMITS:	
All permits for goods being landed	– 1 –
All permits for wine or spirits, or either of them	– 5 –

No. 30.—CAPE OF GOOD HOPE.

(Not received.)

No. 31.—NATAL.

(Transmitted in Governor's Despatch, No. 103 of 3 October 1866.)

A TABLE of the DUTIES of CUSTOMS payable on Goods, Wares, and Merchandise, IMPORTED into the Colony of *Natal*, and also of GOODS IMPORTED FREE of DUTY under Laws in Force at the date of this Return.

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY.	ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY.
DUTIES ON GOODS IMPORTED.	£. s. d.	Duties on Goods Imported—*continued.*	£. s. d.
Ale and beer, in bottle and in wood, per gallon	– – 4	Sugar:	
Beads, per lb.	– – 9	Not refined, per cwt.	– 3 6
Coffee, per cwt.	– 6 –	Refined, and candy, per cwt.	– 4 –
Cotton sheets or blankets, whether in the single article, in pairs, or in pieces, at per 100 *l.* value	15 – –	Tea, per lb.	– – 4½
Guns and gun barrels, each barrel	– 10 –	Tobacco:	
Gunpowder, per lb.	– – 6	Not manufactured, per cwt.	2 2 –
Hoes, adze hoes, or parts thereof, not classed as Kaffir, each	– – 6	Manufactured, per cwt.	4 4 –
Jackets or coats made of blanketing, or baize, or twilled baize, at per 100 *l.* value	15 – –	Cigars, per 1,000	1 10 –
Picks or hoes, called Kaffir picks or hoes, or any piece of iron made or fashioned so as to be easily convertible into Kaffir hoes or picks, each pick or hoe, and each portion of iron convertible as aforesaid into one pick or hoe, each	– 1 –	Wine:	
Pistols, and pistol-barrels, each	– 5 –	In bottle, per gallon	– 2 –
Spirits of all sorts, not sweetened, not exceeding the strength of proof by Sykes' hydrometer, and so on in proportion for any greater or less quantity than a gallon, at per gallon	– 6 –	Not in bottle, per gallon	– 1 6
Sweetened spirits, liqueurs, or cordials, at per gallon	– 6 –	Woollen blankets, railway rugs, and manufacture of wool, or a mixture of wool and cotton, commonly used as woollen blankets, whether in the single article, in pairs, or in the piece, for every 100 *l.* value	15 – –
		Goods, wares, and merchandize, not otherwise charged with duty, not prohibited to be imported, and not declared by this law to be free of duty, for every 100 *l.* value	6 – –
		Also, foreign reprints of British copyright works, for every 100 *l.* value	20 – –

GOODS IMPORTED DUTY FREE.

Animals, living.
Agricultural implements, that is to say,—ploughs, harrows, reaping machines, winnowing machines, and all other machines and implements exclusively employed in agricultural pursuits.
Books and music, printed; maps and charts, except reprint of works protected by the English Copyright Act, or prohibited to be imported.
Bottles, of common glass, imported full.
Bread-stuffs.
Bricks, and fire-bricks.
Casks, staves for casks, heading for casks, hoops, and hoop-iron.
Coin and bullion.
Coals, coke, and patent fuel.
Cement, Portland and Roman.
Diamonds.
Fresh fruit and fresh vegetables.
Flour and meal.
Grain of all kinds.
Grain-bags, gunny-bags, and bagging for ditto.
Guano and other manures.
Ice.
Lime.
Machinery used exclusively in the preparation and manufacture of sugar, cotton, flour, arrowroot, oil, coffee, and sawing timber, and in the making of bricks and tiles.
Peas, beans, and pulse of every kind.
Printing presses and type.
Pig-iron.
Provisions, stores, and all articles of every description imported for the use of Her Majesty's land and sea forces, or for the Colonial Government.
Railway carriages.
Rice.
Salt.
Slates for roofing.
Seeds, bulbs, and plants, and specimens of natural history.
Tiles.
Uniforms and appointments imported, and for the use of any officers of Her Majesty's civil, military, or naval service, serving on full pay in this colony, or for any militia or volunteer forces in this colony.
Wines and spirits imported or taken out of bond for the use of the Lieutenant Governor, and for the use of Her Majesty's military officers serving on full pay in this colony; and also for the use of the officers of Her Majesty's Navy on full pay, and serving on board any of Her Majesty's ships.

Part IV.

Australian Colonies and New Zealand.

32.—NEW SOUTH WALES.

(Transmitted in Governor's Despatch, No. 74, of 3 November 1866.)

RETURN of the DUTIES levied on Articles IMPORTED into and EXPORTED from the Colony of *New South Wales*.

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £. s. d.
IMPORT DUTIES (19 Vict., No. 14):	
On tea, per lb.	– – 3
Sugar:	
Refined and candy, per cwt.	– 6 8
Unrefined, per cwt.	– 5 –
Treacle and molasses, per cwt.	– 3 4
Coffee and chicory, per lb.	– – 2
(25 Vict., No. 10.)	
Tobacco:	
Manufactured and snuff, per lb.	– 2 –
Unmanufactured, per lb.	– 1 –
Cigars, per lb.	– 3 –
(29 Vict., No. 14.)	
Spirits:	
On all spirits imported into the colony, the strength of which can be ascertained by Sykes' hydrometer, per proof gallon	– 10 –
On all spirits and spirituous compounds imported into the colony, the strength of which cannot be ascertained by Sykes' hydrometer, per liquid gallon	– 10 –
On all imported wines, per gallon	– 3 –
Beer:	
On ale and porter in bottle, per gallon	– – 6
On ale and porter in wood, per gallon	– – 3
On malt, per bushel	– – 6
On hops, per lb.	– – 2

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY. £. s. d.
Import Duties (29 Vict., No. 14)—*cont*[d].	
On opium, per lb.	1 – –
On rice, per ton	2 – –
On dried fruits, per cwt.	– 10 –
An ad valorem duty of 5 *l.* for every 100 *l.* of the value thereof is charged on all goods not liable to duty under the second section of the 29 Vict., No 14, or under any previously existing law, other than the package charge imposed by the Package Act of 1865; the following articles excepted, which are admitted free of duty:	
Animals, living.	
Fresh fruits and garden produce.	
Fresh meat.	
Gold dust, bullion, coin.	
Guano and manures.	
Hides and skins.	
Military and naval stores.	
Ores unsmelted.	
Passengers' baggage.	
Plants, trees, and shrubs.	
Printed books.	
Seeds and esculent roots, including bulbs.	
Specimens of natural history.	
Tallow and wool.	
Vine stakes and bark for building purposes.	
Wheat and flour.	

EXEMPTIONS.

(19 Vict., No. 14.)

All goods imported for the supply of Her Majesty's service are exempted from all duties and imposts of every description whatsoever.

(7 Vict., No. 28.)

All wine imported into the colony of New South Wales, or taken out of bond for the use of military or naval officers serving on full pay in the said colony or the adjoining seas, is exempted from duty.

IMPORTED PACKAGES.

(29 Vict., No. 7.)

A charge (irrespective of any duties of customs now payable) of 1 *s.* is levied on all packages imported into the colony, excepting goods in transit, live stock, flour, wheat, sugar, and tea.

Of Goods in bulk, the following Quantities respectively are to be Packages:

Bark, 5 cwt.
Bones, 10 cwt.
Bran and pollard, 25 bushels.
Bricks and tiles, 3 cwt.
Cocoanuts, 1 thousand.
Flags and building stones, 25.
Grain of all kinds, except wheat, 2 cwt.
Guano, 10 cwt.
Hay, 5 cwt.

29 Vict., No. 7—*continued.*

Hoofs and horns, 10 cwt.
Iron and steel, unpacked, 3 cwt.
Lead, 2 cwt.
Logwood, 5 cwt.
Malt, 5 bushels.
Metal, old, 5 cwt.
Millstones, each.
Oars, dozen.
Onions, 5 cwt.
Pipes, earthenware, 25.
Potatoes and yams, 10 cwt.
Salt, 5 cwt.
Shells, 10 cwt.
Slates, 3 hundred.
Timber, load.

Note.—The Colonial treasurer or the collector of customs is empowered to fix or adjust the quantity of goods in bulk, not enumerated above, which shall constitute a package.

By the Act 25 Vict., No. 3, a duty of 10 *l.* per head is levied on all Chinese male passengers arriving in the colony.

EXPORT DUTY.

Gold, per oz. (troy) - - - - - - - - - - - - 1 *s.* 6 *d.*

Wrought or unwrought, by sea or land.

33.—VICTORIA.

(Transmitted in Governor's Despatch, No. 45, of 5 March 1867.)

RETURN of the TARIFFS in force in *Victoria* during 1866, and the Authority under which the Duties were levied.

ARTICLES.	RATE. £. s. d.	AUTHORITY.
IMPORT DUTIES.		
Spirits or strong waters of any strength, not exceeding the strength of proof by Sykes' hydrometer, and so on in proportion for any greater or less strength than the strength of proof, per gallon	– 10 –	18 Victoria, No. 9.
Spirits, cordials, liqueurs, or strong waters sweetened or mixed with any article, so that the degree of strength cannot be ascertained by Sykes' hydrometer, per gallon	– 10 –	18 Victoria, No. 9.
Spirits, perfumed, per gallon	– 10 –	18 Victoria, No. 9.
The words, "spirits, cordials, liqueurs, or strong waters sweetened or mixed with any article," shall henceforth be taken to include all alcohol diluted or undiluted with water or other menstruum, and containing in solution any essence, essential oil, ether, or other flavouring or other substance, whether of natural or artificial origin	–	27 Victoria, No. 169.
Wine, per gallon	– 3 –	18 Victoria, No. 9, and 25 Victoria, No. 144.
Ale, porter, spruce, or other beer, cider, and perry, per gallon	– – 6	18 Victoria, No. 9.
Tobacco and snuff, per lb.	– 2 –	18 Victoria, No. 9.
Tobacco, unmanufactured, in leaf or stem, per lb.	– 1 –	25 Victoria, No. 144.
Tobacco, sheepwashing, per lb.	– – 3	25 Victoria, No. 144.
Cigars, per lb.	– 5 –	18 Victoria, No. 9.
Tea, per lb.	– – 6	18 Victoria, No. 9.
Sugar, raw, refined, and sugar candy, per cwt.	– 6 –	18 Victoria, No. 9.
Molasses and treacle, per cwt.	– 3 –	18 Victoria, No. 9.
Coffee and chicory, per lb.	– – 2	18 Victoria, No. 9.
Opium, raw or unmanufactured, per lb.	– 10 –	25 Victoria, No. 155.
„ refined, prepared, or manufactured, per lb.	1 – –	25 Victoria, No. 155.
Rice, per cwt.	– 2 –	25 Victoria, No. 144.
Malt, per bushel	– – 6	25 Victoria, No. 144.
Hops, per lb.	– – 2	25 Victoria, No. 144.
Dried fruits, per cwt.	– 10 –	25 Victoria, No. 144.
* Registration fee for each package, parcel, or other unit of entry	– – 2	
During the period from the 22nd February to the 13th March, duties were collected under Resolutions of the Legislative Assembly (pending the passing of a Bill through Parliament, as follows :—		
Tea, per lb.	– – 3	
Sugar and molasses, per cwt.	– 3 –	
Cocoa and chocolate, per lb.	– – 2	
Opium, per lb.	– 10 –	
Dried and preserved fruits and vegetables, nuts of all kinds (not including cocoa nuts), butter, cheese, candles, bacon, lard, hams, starch, soap, confectionery, biscuits, comfits, sweetmeats, succades, jams, maccaroni, vermicelli, maizena, preserved meats and fish, per lb.	– – 1	
Salt, per ton	1 – –	
Vinegar, per gallon	– – 6	
Varnish, per gallon	– 2 –	
Salted provisions, including fish not otherwise enumerated, per cwt.	– 5 –	
Doors, each	– 1 –	
Window sashes, per pair	– 1 –	
Plate, of gold, per ounce	– 8 –	
Plate, of silver, per ounce	– 1 –	
Barley, per bushel	– – 3	
Oats, per bushel	– – 3	
Millinery and all articles made up from fabrics of silk, or of silk mixed with other material, per cubic foot	– 5 –	
Apparel and slops, and all articles made up wholly or in part from fabrics of wool, cotton, linen, or mixed materials (except bags), boots and shoes, hosiery and gloves, hats, caps, and bonnets (untrimmed), saddles, harness, and leather-ware, per cubic foot	– 4 –	
Watches, jewels, and jewellery of all kinds, manufactures of silk or of mixed materials of which the greater part is silk, musical instruments, carriages, glass, and glassware, chinaware, and porcelain, furniture, toys, and turnery, wooden-ware, brushware, and wickerware, earthenware, oilmen's stores, not otherwise enumerated, woollen blankets and rugs	10 per cent. ad val.	

* From 1st January to 16th April 1866.

33.—VICTORIA—*continued.*

ARTICLES.	RATE. £. s. d.	AUTHORITY.
EXPORT DUTY.		
Gold, per ounce	– 1 –	
On the 14th March (the Bill having been rejected the previous evening), the old tariff came into operation, and continued until the 12th April, from which date the following scale of duties came into operation, having been legalised by the Act 29 Vict., No. 293 :—		
Spirits or strong waters of any strength not exceeding the strength of proof by Sykes' hydrometer, and so in proportion for any greater or less strength than the strength of proof, per gallon	– 10 –	18 Victoria, No. 9, and 29 Victoria, No. 293.
Spirits, cordials, liqueurs, or strong waters sweetened or mixed with any article, so that the degree of strength cannot be ascertained by Sykes' hydrometer (including all alcohol diluted or undiluted with water or other menstruum, and containing in solution any essence, essential oil, ether or other flavouring or other substance, whether of natural or artificial origin), per gallon	– 10 –	
Spirits perfumed, per gallon	– 10 –	
Wine per gallon in wood	– 3 –	
„ or for six reputed quart bottles		
„ or for 12 reputed pint bottles		
Ale, porter, spruce, and other beer, cider, and perry, per gallon in wood	– – 6	
„ or for six reputed quart bottles		
„ or for 12 reputed pint bottles		
Tobacco, manufactured, per lb.	– 2 –	
„ unmanufactured, per lb.	– 1 –	25 Victoria, No. 144, and 29 Victoria, No. 293.
„ sheepwash, per lb.	– – 3	25 Victoria, No. 144.
Snuff, per lb.	– 2 –	18 Victoria, No. 9, and 29 Victoria, No. 293.
Cigars, per lb.	– 5 –	25 Victoria, No. 144, and 29 Victoria, No. 293.
Tea, per lb.	– – 3	18 Victoria, No. 9, and 29 Victoria, No. 293.
Sugar and molasses, per cwt.	– 3 –	18 Victoria, No. 9, and 29 Victoria, No. 293.
Coffee and chicory, cocoa and chocolate, per lb.	– – 2	29 Victoria, No. 293.
Opium (including all goods, wares and merchandise, mixed or saturated with opium, or with any preparation or solution thereof, or steeped therein respectively, per lb.	– 10 –	25 Victoria, No. 155.
Rice, per cwt.	– 2 –	25 Victoria, No. 144.
Dried and preserved fruits and vegetables, nuts of all kinds (not including cocoa nuts), butter, cheese, candles, bacon, lard, hams, starch, soap, confectionery, biscuits, comfits, sweetmeats, succades, jams, maccaroni, vermicelli, maizena, preserved meats and fish, per lb., or package of that reputed weight	– – 1	29 Victoria, No. 293.
Hops, per lb.	– – 2	25 Victoria, No. 144.
Malt, per bushel	– – 6	
Salt, per ton	1 – –	
Vinegar, per gallon	– – 6	
Varnish, per gallon	– 2 –	
Salted provisions, including fish not otherwise enumerated, and not caught from vessels owned in the colony, per cwt.	– 5 –	
Doors, each	– 1 –	
Window sashes, per pair	– 1 –	
Plate, of gold, per ounce	– 8 –	
Plate, of silver, per ounce	– 1 –	
Barley, per bushel	– – 3	
Oats, per bushel		
Millinery and all articles made up from fabrics of silk, or of silk mixed with other materials, the cubic foot, measuring outside the package, or for any package less than one cubic foot	– 5 –	29 Victoria, No. 293.
Apparel and slops, and all articles made up wholly or in part from fabrics of wool, cotton, linen, or mixed materials (except corn or wool bags), boots or shoes, hosiery and gloves, hats, caps, and bonnets (untrimmed), saddles, harness, and leatherware, per cubic foot, measuring outside the package, or for any package less than one cubic foot	– 4 –	
Watches, jewels, and jewellery of all kinds, manufactures of silk or of mixed materials of which the greater part is silk, musical instruments, carriages, glass and glassware, chinaware, and porcelain, furniture, toys, and turnery, woodenware, brushware, and wickerware, earthenware, oilmen's stores, not otherwise enumerated (except oils in bulk, tapioca, sago, arrowroot, spices, pepper, and ginger), woollen blankets and rugs	10 per cent. ad valorem.	

33.—VICTORIA—*continued.*

Exemptions from Import Duties.

All goods, wares, and merchandise not included in the above table of imported articles, gold and silver coin, passengers' baggage, cabin, and other furniture or personal effects which have been in use and not imported for sale, carriages used in the conveyance of goods or passengers across the frontier, all packages in which goods are ordinarily imported, and all minor articles used in the making up of apparel of mixed or undescribed materials shall be exempt from duty.

ARTICLES EXPORTED BY LAND OR SEA.	RATE AND DURATION OF DUTY.	AUTHORITY.
Gold, including gold in its natural state whether mixed with any other substance or not, gold dust and all other gold, except gold coin, watches, and articles of jewellery and plate.	1 *s.* per oz. troy, until 31st December 1866; 6 *d.* per oz. troy from and after that date to 31st December 1867, and from and after the 31st December 1867, the said duty shall cease and determine.	18 Victoria, No. 27, and 29 Victoria, No. 293.

Wharfage and Harbour Rates.

ARTICLES.	RATE. £.	*s.*	*d.*	AUTHORITY.
Liquids in Bulk:				27 Victoria, No. 209, and 28 Victoria, No. 255.
Tun butt, each	–	3	–	
Pipe or puncheon, each	–	2	–	
Hogshead, each	–	1	–	
Barrel or quarter cask, each	–	–	6	
Octave, keg, drum, tin, jar, or other small single package	–	–	3	
Other Goods:				
Case, crate, cask, bale, box, bundle, trunk, bag, keg, firkin, or package, measuring – 30 cubic feet and upwards	–	3	–	
20 „ „ „ to 30	–	2	–	
10 „ „ „ „ 20	–	1	6	
6 „ „ „ „ 10	–	–	9	
3 „ „ „ „ 6	–	–	6	
1 „ „ „ „ 3	–	–	3	
Less than 1 foot	–	–	2	
Steam boilers, millstones, chains, machinery, railway materials, pig iron, cordage, oakum, flax, or other fibrous articles, carriages, furniture, and goods not otherwise enumerated, per ton	–	3	–	
Lead, lead piping, iron, iron wire, steel or other loose metal, shot, nails, or metal in casks, cases, or frames, per cwt.	–	–	3	
Sugar, salt, coffee, rice, flour, meal, potatoes, or other vegetables, grain, seeds, malt, hops, or pulse, per cwt.	–	–	3	
Spades, shovels, brooms, forks, frying-pans, and small pieces of shaped wood, per dozen	–	–	3	
Timber, per load of 40 cubic or 480 superficial feet	–	3	–	
Posts and rails, per 100	–	3	–	
Pickets or palings, per 100	–	1	–	
Shingles or laths, per 1,000	–	1	–	
Oars, tubs, or buckets, per dozen	–	–	6	
Coals, coke, or firewood, per ton	–	1	–	
Slates and bricks, per 1,000	–	3	–	
Empty casks or shooks, per bundle	–	–	6	
Goods to be rated according to weight or measurement, at the option of the Collector of Customs at the port of discharge.				
Duty on Spirits Distilled in Victoria:				
Spirits distilled in Victoria from malt, grain, roots, grapes, or wine, per gallon	–	6	–	25 Victoria, No. 147.
Spirits distilled in Victoria from sugar, treacle, molasses, or from wort wash or spirit wash with which sugar, treacle, or molasses has been made or mixed, or from beer or ale, per gallon	–	8	–	
Note.—By the 93rd clause of the Act 25 Victoria, No. 147, if spirits are removed from any bonding warehouse for intermixture with spirits distilled in Victoria or vatted for home consumption, a rebate of duty is allowed on the imported spirits, to the extent of the duty payable on the colonial distilled spirits with which they are mixed.				

34.—TASMANIA.

(Transmitted in Governor's Despatch, No. 14 of 11 October 1866.)

CUSTOMS TARIFF of *Tasmania*, October 1866.

Schedule 1.

ARTICLES SUBJECT TO DUTY.	RATE OF DUTY. £. s. d.
Ale, beer, and porter, of all sorts:	
In wood, per gallon	– – 6
In bottle, reputed quarts, per dozen	– 2 –
In bottle, reputed pints, per dozen	– 1 –
Hams, bacon, lard, butter, cheese, candles, nuts, walnuts, ginger, almonds, pepper, pimento, liquorice, mustard, blue, arrow-root, macaroni, vermicelli, tapioca, and sago, per lb.	– – 2
Cigars and snuff, per lb.	– 4 –
Coffee, cocoa, chocolate, and chicory, per lb.	– – 3
Perry and vinegar, per gallon	– – 4
Cinnamon, cloves, mace, gunpowder (except blasting), tartaric acid, citric acid, nutmegs, spices, mixed spices, ground spices, and cassia, per lb.	– – 4
Hops, per lb.	– – 2
Fruits, dried, per lb.	– – 1½
Oil, all kinds (except fish oil), turpentine, varnish, and spirits of tar, per gallon	– – 6
Malt, per bushel	– 1 –
Pickles, in bottles:	
Reputed quarts, per dozen	– 3 –
Reputed pints, per dozen	– 2 –
Rice, pearl barley, white lead, red lead, paints of every description, and carbonate of soda, per lb.	– – –½
Lamp black, dry paints, sulphur (in casks), and soda (in crystals), per lb.	– – –¼
Spirits:	
Brandy, rum, and whisky, per gallon	– 12 –
All other spirits, cordials, liqueurs, or strong waters, the degree of strength of which cannot be ascertained by Sykes' hydrometer, per gallon	– 12 –
Perfumed spirits, per gallon	– 12 –

ARTICLES SUBJECT TO DUTY.	RATE OF DUTY. £. s. d.
Wine:	
Containing more than 25 per cent. of alcohol of a specific gravity of ·825 at the temperature of 60 degrees of Fahrenheit's thermometer for every gallon in proportion to the strength, in wood, per gallon	– 2 –
In bottle, reputed quarts, per dozen	– 8 –
In bottle, reputed pints, per dozen	– 4 –
Not containing more than 25 per cent. of alcohol, &c., per gallon	– 2 –
Tobacco, per lb.	– 2 6
Tobacco, cigars, and snuff destroyed for sheep-wash, per lb.	– – 3
Sugar:	
Refined and raw, per cwt., or any quantity not less than one quarter of a cwt.	– 6 –
Molasses, per cwt., or any quantity not less than one quarter of a cwt.	– 3 6
Tea, per lb.	– – 6
Soap, per lb.	– – 1
Starch, per lb.	– – 1
Shot, per lb.	– – 1
Sauces:	
Reputed pints, per dozen	– 3 –
Reputed half-pints, per dozen	– 2 –

And so in proportion for all spirits, cordials, and strong waters, for any greater or less quantity than a gallon, not being less than one-eighth part of a gallon; for ale, beer, and wines, in bottle, for any greater or less quantity than a dozen reputed quart or pint bottles; for all sugar and molasses, for any greater or less quantity than a hundred weight, not being less than a quarter of a hundred-weight.

34.—TASMANIA—*continued.*

Schedule 2.

ARTICLES SUBJECT TO DUTY.	RATE OF DUTY. £. s. d.	ARTICLES SUBJECT TO DUTY.	RATE OF DUTY. £. s. d.
Manufactures of silk, cotton, linen, and woollen, and all articles manufactured therefrom, drapery, hosiery, haberdashery, millinery, furs, hats, boots, shoes, confectionery, bottled fruits, preserves, oilman's stores of all kinds (except pickles and sauces), plate glass, and all other goods unenumerated, measuring outside the package, per cubic foot, and all other packages of the foregoing, measuring outside the package less than one cubic foot	– 2 –	Wool bags, each	– – 2½
		Corn sacks, each	– – –½
		Gunny bags, each	– – –¼
		Bagging, per bale of 1,000 yards	– 8 4
		Deals, manufactured or unmanufactured, per load of 50 cubic feet	– 8 –
Crockery and glassware, per package	– 10 –	Tubs and buckets, per dozen	– 2 –
		Matches, per case of not more than 50 gross	– 10 –
Crockery and glassware, not measuring more than five cubic feet, per foot	– 2 –	Blacking, per cask	– 5 –
Crown and sheet glass, for every 100 superficial feet, or any portion not less than 25 feet	– 2 –	Toys, per cubic foot	– – 6
		Room papers, per cubic foot	– – 6
Brushware, hardware, cutlery, hollow-ware, plated ware, ironmongery of all kinds, per cwt. (gross), or any portion thereof, not less than a quarter of a cwt.	– 2 6	Coir matting and mats, per cubic foot	– – 6
		Carriages:	
Retorts and rough iron castings, per cwt. (gross), or any portion thereof, not less than a quarter of a cwt.	– – 6	On two wheels	5 – –
		On four wheels	10 – –

Schedule 3.—Table of Exemptions.

Agricultural implements and tools of all kinds; guano, and other manures of every description; wheat, oats, barley, and maize; hay, bran, beans, peas, oranges, lemons, pine apples, grapes, green fruit, and vegetables of every description; salt, flour, oatmeal, bread, biscuit, trees, plants, shrubs, bulbs, and seeds of every description; horses, pigs, poultry, dogs, sheep, cattle, and living animals; empty casks, cases, and boxes of wood; empty bottles and corks; galvanised iron, sheet or piping, zinc sheet or piping, anchors, and sheathing; felt for sheathing, oakum and junk; sail canvas, rope and twine; pitch, tar, and resin; fish oil, whalebone, and whale fins; whaling implements and gear of every description; ships' blocks, binnacle lamps, signal lamps, compasses shackles, sheaves, dead-eyes, dead-lights, boats' oars, beef, pork, and lime juice; printed books, printed papers, and books and papers of every description, except room papers, ink, printing presses, printing type, maps, charts, and globes; memorial windows for churches and chapels; organs specially imported for the town halls of Hobart Town and Launceston; coke, coals, hides and skins; organs and bells, specially imported for churches and chapels; timber, of all kinds, unmanufactured, except deals, firewood, logwood, and dyewoods; lead, sheet or piping, chaff cutters, and machinery for agricultural purposes; cart and carriage axles, arms, and boxes; carriage shafts, spokes, and felloes; iron pipes, iron tanks, gunpowder for blasting, slates for roofing, cement of all kinds, plaster-of-paris (cements are defined as mineral cements); tallow, soda ash and caustic soda; whiting and chalk; wool, flax, hemp, and tow unmanufactured; works of art; viz., statues, busts, casts of marble, bronze, alabaster, or plaster-of-paris; paintings, drawings, prints, engravings, lithographs, photographs, specimens of sculpture, cabinets of coins, medals, gems, and all collections of antiquities; specimens of natural history, mineralogy, or botany; ores of all kinds of metals; gold dust, gold bars, bullion, and coin; philosophical instruments and apparatus; fire engines, steam engines, pumps, and other apparatus for raising water; coir, bristles, and hair unmanufactured; fire bricks, cotton waste, candle cotton, saltpetre, iron bridges, iron fencing, draining tiles, and draining pipes; empty tin cases for jam; unmanufactured tin and tin plates; millstones and machinery for mills worked by wind, steam, or water; bath bricks and grindstones; blacksmiths' bellows and anvils; rod, bar, hoop, sheet, plate, and pig iron, share moulds, railway plant, and all material which may be imported for the purpose of construction of railways and tramways, traction engines and their carriages; unmanufactured steel of all kinds; lime and bark; ice; passengers' bagging arriving in the colony at any time, not being more than 21 days after the owner thereof, upon special application and proof to the satisfaction of the Collector of Customs, that the articles sought to be exempted from duty are *bonâ fide* passenger's baggage; all goods imported for the use of Her Majesty's Government, chains and cables of every description, copper or yellow metal, rod and bolts.

34.—TASMANIA—*continued.*

DRAWBACKS.

There is allowed upon all articles and goods imported into the colony, and enumerated in the Schedule below, if exported, a drawback of the duty paid thereon; and upon the exportation of jam manufactured in the colony, a drawback of 2*l.* 8*s.* for every ton net weight of jam; provided that the exporter or manufacturer gives notice in writing to the Collector of Customs of his intention to pack jam for export; and the collector shall upon the receipt of such notice, either himself, or an officer of Customs appointed by him for such purposes, view such jam, and shall seal the case or cases in which such jam is packed; provided always that proof be made to the satisfaction of the Collector, that the full duties due on importation have been paid.

No drawback shall be allowed upon the exportation of jam in any quantity less than one ton, or on any other goods entered for drawback, unless the duty on such goods amounts to 10*l.*, and unless such goods are shipped within three years from the day of importation thereof, or in the case of the exportation of jam manufactured in the colony, within one year from the time when the exporter shall declare the same to have been manufactured, or, in the case of malt liquors, within one year from the day of the importation thereof; provided, that any person making such declaration falsely in any particular, shall forfeit and pay a penalty of not less than 100*l.*

Schedule.

Wine, tea, sugar, coffee, cocoa, chicory, currants, raisins, dates, rice, hops, malt liquors, candles, ginger, pepper, sago; manufactures of silk, cotton, linen and woollen, and all articles manufactured therefrom; drapery, haberdashery, hosiery, millinery, furs, hats, boots, shoes, wool bags and corn sacks, being in the original packages in which the same were imported.

35.—SOUTH AUSTRALIA.

(Transmitted in Governor's Despatch, No. 65 of 22 November 1864.)

Table of Duties.

ARTICLE.	RATE OF DUTY.	ARTICLE.	RATE OF DUTY.
	£. s. d.		£. s. d.
All imported goods, not included in the undermentioned lists to which fixed duties are attached, or which are to be found in the Free List, an ad valorem duty of	5 per cent.	Spirits, namely, wine containing more than 30 per cent. of alcohol, of a specific gravity of ·825, at the temperature of 60° of Fahrenheit's thermometer, for every gallon in proportion to strength, per gallon	– 10 –
Beer, porter, ale, cider, and perry (in wood) per gallon	– – 6	Sugar, per cwt.	– 3 –
Beer, porter, ale, cider, and perry (in bottle) reputed quarts, per dozen	– 1 –	Molasses and treacle, per cwt.	– 2 –
Beer, porter, ale, cider, and perry (in bottle) reputed pints, per dozen	– – 6	Tea, per lb.	– – 3
Coffee, chicory, cocoa, and chocolate, per lb.	– – 1	Tobacco:	
Dried fruits, nuts, and almonds, per cwt.	– 10 –	Manufactured, per lb.	– 1 6
Hops, per lb.	– – 2	Sheepwash, per lb.	– – 3
Spirits, or strong waters of all sorts, viz., for every gallon of such spirits or strong waters, of any strength, not exceeding the strength of proof by Sykes's hydrometer; and so in proportion for any greater or less strength than the strength of proof, and for any greater or less quantity than a gallon; also, perfumed spirits, not being sweetened or mixed with any article, so that the degree of strength thereof cannot be exactly ascertained by such hydrometer, per gallon	– 10 –	Cigars and snuff, per lb.	– 4 –
		Wine, not containing more than 30 per cent. of alcohol, of a specific gravity of ·825, at the temperature of 60° of Fahrenheit's thermometer (in wood) per gallon	– 2 –
		Wine (in bottle) reputed quarts, per dozen	– 6 –
		Wine (in bottle) reputed pints, per dozen	– 3 –
		Wood:	
		Posts and rails, handspikes and poles, per 100	– 1 6
		Palings, per 100	– – 6
		Shingles and laths, per 1,000	– – 6
		Trenails and spokes, per 100	– – 2
		Oars, per 100 feet	– 2 –
Spirits, cordials, or strong waters, sweetened or mixed with any article, so that the degree of strength thereof cannot be exactly ascertained by Sykes's hydrometer, for every gallon	– 10 –	Square timber and balks, spars, deals, battens, quartering, planks, boards, and sawn, hewn, or split timber of all kinds, not otherwise enumerated or described, per 40 cubic feet	– 2 6
		Cedar, per 40 cubic feet	– 5 –

Free List.

Animals, living; baggage of passengers; bags and sacks, viz., corn sacks, ore bags, wool packs; books, printed; bullion and coin; coals, coke, and other fuel; corn and flour; fresh fruits; manures; plants and trees; seeds and roots, including potatoes; seeds, viz., lucerne, clover, tares, sainfoin, rye, and all grass seeds; shooks and staves; skins and hides, raw; specimens of natural history; tallow; wool; unsmelted ores.

36.—QUEENSLAND.

(Transmitted in Governor's Despatch, No. 60 of 5 November 1866.)

TABLE OF DUTIES.

ARTICLE.	RATE OF DUTY. £. s. d.
IMPORTS:	
Brandy, per gallon	– 10 –
Gin, per gallon	– 10 –
Liqueurs, cordials, or strong waters, per gallon	– 10 –
Whisky, per gallon	– 10 –
Rum, per gallon	– 10 –
Perfumed spirits, per gallon	– 10 –
All other spirits, per gallon	– 10 –
Wine, per gallon	– 6 –
Ale, porter, and beer, in wood, per gallon	– – 6
Ale, porter, and beer, in glass, per gallon	– – 6
Spruce and other beer, per gallon	– – 6
Cider and perry, per gallon	– – 6
Vinegar, per gallon	– – 6
Tobacco, per lb.	– 2 6
Imports—*continued.*	
Snuff, per lb.	– 2 6
Cigars, per lb.	– 4 –
Opium, per lb.	1 – –
Tea, per lb.	– – 6
Coffee and chicory, per lb.	– – 4
Chocolate and manufactured cocoa, per lb.	– – 4
Raw cocoa, per lb.	– – 2
Sugar:	
Refined, per cwt.	– 6 8
Raw, per cwt.	– 5 –
Molasses, per cwt.	– 3 4
Dried fruits, per lb.	– – 1
Rice, per ton	2 – –
Salt, per ton	2 – –

All other articles imported to pay an ad valorem duty of seven and a half per cent., with the following exceptions, viz. :—

Animals, living.
Fresh fruits, garden seeds, and garden produce.
Fresh meat.
Gold and silver coin, gold dust, and bullion.
Military and naval stores.
Passengers' baggage, cabin and other furniture, or personal effects which have been in use and are not imported for sale.
Plants, trees, and shrubs.
Printed books, periodicals, and newspapers.
Specimens of natural history.
Wheat and flour.
Machinery, *bonâ fide* imported for manufacturing sugar.

Export duty on gold, 1 *s.* 6 *d.* per ounce.

Bonded Warehouse Tax.—An annual tax of 50 *l.*; and for the capacity of such warehouse to contain more than 50 tons, 1 *l.* for every additional 10 tons capacity.

Pilotage.—There shall be paid at every port of the colony at which there is a pilot's establishment, a pilotage rate upon every vessel of 4 *d.* per ton upon her arriving at and departing from such port; such rate shall in no case be less than 2 *l.* 10 *s.* for the port of Moreton Bay, nor less than 1 *l.* 10 *s.* for any other port.

Light Dues—Foreign-going Vessels.—On entering at the Customs at a port, the entrance to which is marked by a coast light, 3 *d.* per ton.

Also for other coast lights passed before arriving, 1 *d.* per ton for each light.

On clearing such port, for the light at the entrance, 3 *d.* per ton. Also for other coast lights to be passed after leaving, 1 *d.* per ton for each light. But in no case paying for more than two such additional lights inwards, and two outwards.

On entering the Customs at a port, the entrance to which is not marked by a coast light; for coast lights passed before arriving, 1 *d.* per ton for each light.

On clearing at such port; for coast lights to be passed after leaving, 1 *d.* per ton for each light; but in no case paying for more than two such lights inwards, and two outwards.

37.—WESTERN AUSTRALIA.

(Transmitted in Governor's Despatch, No. 191 of 9 October 1866.)

RETURN of Duties leviable in the Colony of *Western Australia*, 30th September 1866, 19th Vict., No. 16.

Schedule No. 1. Table of Duties.

ARTICLE.	RATE OF DUTY. £.	s.	d.
Beer, porter, cider, and perry, bottled and in wood, per gallon	–	–	4
Cigars and snuff, per lb.	–	2	6
Coffee, per cwt.	–	4	–
Spirits, cordials, or strong waters, not being perfumed or medicinal spirits, to be used as medicine or perfumery only, for each and every imperial gallon of such spirits, cordials, or strong waters, of any strength not exceeding the strength of proof by Sykes's hydrometer; and so in proportion for any greater strength than the strength of proof, or any quantity greater or less than a gallon, per gallon	–	12	–

ARTICLE.	RATE OF DUTY. £.	s.	d.
Sugar:			
Refined and candy, per cwt.	–	4	–
Moist and molasses, per cwt.	–	3	–
Tea, per lb.	–	–	2
Tobacco:			
Manufactured, per lb.	–	1	9
Unmanufactured, per lb.	–	1	–
Wine, bottled and in wood, per gallon	–	2	–
On all goods, wares, and merchandise, imported into this colony, and not otherwise charged with a specific duty, and not hereafter set forth as free of duty, a duty of seven per cent., according to the invoice value	7 per cent.		

RETURN of Goods admitted into the Colony of *Western Australia* Free of Duty, 30th Sept. 1866, 19th Vict., No. 16.

Schedule No. 2.

Animals, living.
Bread and biscuit.
Bags and sacks.
Bales for wool.
Books, printed, not being account.
Bottles, glass and stone, imported full.
Bran.
Bullion and coin.
Baggage, personal, of immigrants.
Coals, coke, and other fuel.
Corn and other grain.
Flour and meal.
Implements and machinery, agricultural.
Meats, salted, cured, and preserved, except bacon and hams.
Machinery for mills, including millstones.
Maps and charts.
Oatmeal.
Pumps and other apparatus for raising water.
Pictures, prints, and statuary.
Plants, seeds, and bulbs.
Provisions or stores, military or naval, required for Her Majesty's service.
Pulse.
Rice.
Staves and hoops for casks.
Specimens of natural history.
Uniforms and appointments, naval, military, and civil, imported by officers stationed in this colony for their own use.
Goods specially exempted by the Governor, with the advice of the Executive Council.

RETURN of Export Duties leviable in the Colony of *Western Australia*, 30th Sept. 1866, 16th Vict., No. 14, sect. 3.

Kangaroo skins exported, on each – – – – – – – – – – – 1*s.*

24th Vict., No. 6.

Sandal wood cut on Crown lands, an export duty of, per ton – – – – – – – 5*s.*

38.—NEW ZEALAND.

(Transmitted in Governor's Despatch, No. 107 of 28 November 1866.)

TABLE of DUTIES levied under the Customs Duties Act, 6th October 1866.

NAMES OF ARTICLES.	RATES OF DUTY. £.	s.	d.
Ale, porter, beer of all sorts, cider and perry, in bottle, the gallon	–	1	3
Ale, porter, beer of all sorts, cider and perry, in bulk, the gallon	–	1	–
Almonds:			
In shell, the lb.	–	–	1
Shelled, the lb.	–	–	3
Ammunition:			
Sporting powder, the lb.	–	–	6
Blasting powder, the lb.	–	–	1
Apparel, not otherwise described, the cubic foot	–	5	–
Apples, dried, the lb.	–	–	1
Apothecary's wares, not otherwise described, the cubic foot	–	3	–
Arms, fire arms, each	–	5	–
Axles, axle arms and boxes, the cwt.	–	2	–
Arrowroot:			
In bulk, the lb.	–	–	–½
In bottles, jars, or tins, the cubic foot	–	2	6
Arsenic, the cwt.	–	4	–
Bacon and hams, the lb.	–	–	1
Bagging, bags, sacks, and woolpacks, empty, the cubic foot	–	1	6
Baskets and wickerware, the cubic foot	–	–	6
Baking powder, the cubic foot	–	1	–
Beef, salted, the cwt.	–	2	–
Bellows, the cubic foot	–	1	–
Bicarbonate and carbonates of soda, the cwt.	–	2	–
Biscuits:			
Plain and unsweetened, the cwt.	–	3	–
Fancy, the cubic foot	–	3	–
Bitters, the gallon	–	12	–
Blacking, the cubic foot	–	1	–
Blacklead, the cubic foot	–	1	–
Blankets and rugs, the cubic foot	–	3	–
Bonnets and hats:			
Trimmed, the cubic foot	–	5	–
Untrimmed, the cubic foot	–	3	–
Boots:			
Shoes, slippers, and goloshes, the cubic foot	–	5	–
Men's common, watertight, and lace-up, and diggers' long, the cubic foot	–	3	–
Boot and shoe vamps and uppers, the cubic foot	–	5	–
Brass and brass manufactures, the cwt.	–	4	–
Brushware and brooms, the cubic foot	–	1	–
Buckets, of wood, the dozen	–	2	–
Buckets and tubs, of iron, the cwt.	–	4	–
Butter, the lb.	–	–	1
Candied peel, the lb.	–	–	3
Candles:			
Tallow, the lb.	–	–	–½
Other than tallow, the lb.	–	–	1
Capers, the cubic foot	–	2	6
Caps:			
Apparel, the cubic foot	–	3	–
Percussion, the thousand	–	1	–
Cards, playing, the pack	–	–	6
Carpet bags, the cubic foot	–	3	–
Carpets:			
Woollen, the cubic foot	–	2	–
Of hemp, coir, or jute, the cubic foot	–	1	–
Carraway seeds, the cubic foot	–	2	6
Carriages, carts, drays, and waggons, ad valorem	5 per cent.		
Carriage and cart wheels, per pair	–	5	–
Catsup, the cubic foot	–	2	6
Cement and plaster of paris, the barrel	–	1	–
Chains, except gold and silver, ⅜ths of an inch diameter, and under, the cwt.	–	2	–
Cheese, the lb.	–	–	1
Chicory, the lb.	–	–	3
China, porcelain, and parian ware, the cubic foot	–	1	–
Chocolate, the lb.	–	–	3
Chutney, the cubic foot	–	2	6
Cigars, the lb.	–	5	–
Cocoa, the lb.	–	–	3
Coffee, the lb.	–	–	3
Coffee, essence of, the cubic foot	–	2	6
Collars and cuffs, of paper, the cubic foot	–	5	–
Combs, the cubic foot	–	1	–
Confectionery, the cubic foot	–	5	–
Copper manufactures, not otherwise described, the cwt.	–	4	–
Copying presses, the cwt.	–	4	–
Cordage, three inches in circumference and under, the cwt.	–	3	–
Cordials, the gallon	–	12	–
Clocks and watches, for every 100 *l.* value	10	–	–
Cotton manufactures not otherwise described, and all articles made of cotton mixed with any other material, the cubic foot	–	5	–
Cotton counterpanes, the cubic foot	–	3	–
Cream of tartar, the lb.	–	–	1
Curry powder and paste, the cubic foot	–	2	6
Cutlery, the cwt.	–	4	–
Doors, of wood, each	–	1	–
Drapery, not otherwise described, the cubic foot	–	5	–
Drugs and druggist's sundries, not otherwise described, the cubic foot	–	3	–

38.—NEW ZEALAND—*continued.*

NAMES OF ARTICLES.	RATES OF DUTY. £.	s.	d.
Earthenware, the cubic foot	–	–	3
Engravings, prints, drawings, paintings and pictures, the cubic foot	–	1	–
Essences, flavouring, the cubic foot	–	2	6
Fish:			
Dried, pickled, or salted, the cwt.	–	2	–
Potted and preserved, the cubic foot	–	2	6
Paste, the cubic foot	–	2	6
Floor cloth, the cubic foot	–	1	–
Forfar sheeting, unbleached, the cubic foot	–	3	–
Fruits:			
Bottled, or preserved in syrup, the cubic foot	–	2	6
Dried, the lb.	–	–	1
Furniture and cabinetware, of wood, the cubic foot	–	–	6
Furs, the cubic foot	–	5	–
Gelatine, the cubic foot	–	2	6
Glass:			
Crown and sheet, the 100 feet superficial	–	1	–
Plate, the cubic foot	–	1	–
Globes and chimneys for lamps, the cubic foot	–	–	6
Glassware, the cubic foot	–	1	–
Glue, the cwt.	–	2	–
Groats, prepared, the cubic foot	–	1	–
Grindery, the cubic foot	–	1	–
Gutta percha manufactures, not being apparel	–	1	–
Hardware, the cwt.	–	4	–
Haberdashery, the cubic foot	–	5	–
Hair seating, the cubic foot	–	1	–
Hams, the lb.	–	–	1
Harness, the cubic foot	–	2	–
Hats, the cubic foot	–	3	–
Holloware, the cwt.	–	4	–
Hops, the lb.	–	–	1
Horse shoes, the cwt.	–	1	–
Hosiery, the cubic foot	–	5	–
Ink, writing, the cubic foot	–	1	–
Iron:			
Fencing wire, staples and standards, straining posts, and apparatus, the cwt.	–	1	–
Gates and gate posts, the cwt.	–	4	–
Galvanized sheets, tiles, ridging, guttering, spouting, rivets, washers, screws, nails, and wire netting, the cwt.	–	1	–
Ironmongery, the cwt.	–	4	–
Isinglass, the cubic foot	–	2	6
Jams, jellies, and marmalade, the cubic foot	–	2	6
Japanned and lacquered metal ware, the cwt.	–	4	–
Jewelry, for every 100 *l.* value	10	–	–
Lamps, lanterns, and lamp wick, the cubic foot	–	1	–
Lasts and shoemakers' wooden pegs, the cubic foot	–	1	–
Lead:			
Sheet, pig, and piping, the cwt.	–	1	–
Manufactures not otherwise described, the cwt.	–	4	–
Leather:			
Sole, the lb.	–	–	½
Other kinds, the lb.	–	–	1
Bags, the cubic foot	–	5	–
Leggings, the cubic foot	–	5	–
Manufactures not otherwise described, the cubic foot	–	1	–
Linen manufactures not otherwise described, and all articles made of linen mixed with any other materials, the cubic foot	–	5	–
Liqueurs, the gallon	–	12	–
Liquorice, the cubic foot	–	2	6
Looking glasses, the cubic foot	–	1	–
Maccaroni, the cubic foot	–	2	6
Maizena and corn flour, the cubic foot	–	1	–
Malt, the bushel	–	–	6
Mantel-pieces, the cubic foot	–	1	–
Marbles, toys, the cubic foot	–	1	–
Matches and wax vestas, the cubic foot	–	1	–
Mats (door mats), the cubic foot	–	1	–
Matting of cocoa fibre, and other kinds, the cubic foot	–	–	6
Meats, potted and preserved, the cubic foot	–	2	6
Millinery, not otherwise described, the cubic foot	–	5	–
Musical instruments, the cubic foot	–	1	–
Mustard, the cubic foot	–	2	6
Nails, of iron, the cwt.	–	1	–
Nuts of all kinds, except cocoa nuts, the lb.	–	–	1
Oil:			
Vegetable, in bulk, the gallon	–	–	6
Vegetable, in bottle, the cubic foot	–	2	6
Mineral, the gallon	–	–	6
In bottle, the cubic foot	–	2	6
Perfumed, the cubic foot	–	2	6
Not otherwise described, the gallon	–	–	6
Olives, the cubic foot	–	2	6
Opium, the lb.	1	–	–
Oysters, preserved, the cubic foot	–	2	6
Paints and colours, the cwt.	–	2	–
Paper:			
Writing, the cubic foot	–	1	–
Wrapping and bags, the cubic foot	–	1	–
Hangings, the cubic foot	–	1	–
Papier maché ware, the cubic foot	–	1	–
Pearl barley, the cwt.	–	1	–
Peas, split, the cwt.	–	1	–
Pepper and pimento, unground, the lb.	–	–	1
Pepper, cayenne, the cubic foot	–	2	6
Perambulators, the cubic foot	–	–	6
Percussion caps, the thousand	–	1	–
Perfumery, not otherwise described, the cubic foot	–	2	6
Pickles, the cubic foot	–	2	6
Picture frames, the cubic foot	–	1	–
Pipes, tobacco, the cubic foot	–	2	–
Pitch, the barrel	–	1	–
Plate, gold and silver, for every 100 *l.* value	10	–	–
Plated ware, the lb.	–	–	3
Pork, salted, the cwt.	–	2	–
Portmanteaus, the cubic foot	–	1	–

38.—NEW ZEALAND—*continued.*

NAMES OF ARTICLES.	RATES OF DUTY. £.	s.	d.
Raspberry vinegar, the cubic foot	–	2	6
Rice, the cwt.	–	2	–
Rice, ground, the cubic foot	–	2	6
Rosin, the cwt.	–	2	–
Rugs, woollen, cotton, or opossum, the cubic foot	–	3	–
Saddlery, the cubic foot	–	2	–
Sad irons, the cwt.	–	1	–
Safes, iron, the cwt.	–	4	–
Sago:			
In bulk, the cwt.	–	2	–
In bottles, or canister, the cubic foot	–	2	6
Saltpetre, the cwt.	–	2	–
Sauces, the cubic foot	–	2	6
Sashes, window, the pair	–	1	–
Scrim cloth, the cubic foot	–	1	–
Shirts:			
Navy serge, and Scotch twill, the cubic foot	–	3	–
White, regatta, Crimean, the cubic foot	–	5	–
Shot, the cwt.	–	10	–
Silk manufactures, the cubic foot	–	5	–
Snuff, the lb.	–	5	–
Soap:			
Common, the cwt.	–	2	6
Scented and fancy, the cubic foot	–	2	6
Powder, and washing powder, the cubic foot	–	–	6
Soda crystals, the cwt.	–	1	–
Spices: Cassia, cinnamon, cloves, ginger, mace, nutmegs, mixed and ground spices, the lb.	–	–	3
Spirits, and strong waters of every kind, sweetened or otherwise, of any strength not exceeding the strength of proof by Sykes' hydrometer, and so on in proportion for any greater strength than the strength of proof, the gallon	–	12	–
Spirits of tar, the gallon	–	–	6
Starch and blue, the cwt.	–	2	–
Stationery and account books, the cubic foot	–	1	–
Steel, the cwt.	–	1	–
Sugar, treacle, and molasses, the lb.	–	–	1
Sulphur, the cwt.	–	1	–
Swords, each	–	5	–
Syrups, the cubic foot	–	2	6
Tacks, the cwt.	–	4	–
Tapioca:			
In bulk, the cwt.	–	2	–
In bottles, jars, or tins, the cubic foot	–	2	6
Tar, the barrel	–	1	–
Tartaric acid, the lb.	–	–	1
Tea, the lb.	–	–	6
Tinware, the cwt.	–	4	–
Timber:			
Sawn, the 100 feet superficial	–	1	–
Shingles and laths, the 1,000	–	1	–
Palings, the 100	–	1	–
Posts, the 100	–	4	–
Timber, rails, the 100	–	2	–
Tobacco, the lb.	–	2	6
Tobacco for sheepwash, subject to its being rendered unfit for human consumption, and to such regulations as the Commissioner of Customs shall from time to time prescribe in that behalf, the lb.	–	–	3
Tools, carpenters' and others, not otherwise described, the cwt.	–	4	–
Toys and fancy goods not otherwise described, the cubic foot	–	1	–
Trowsers, moleskin and cord, the cubic foot	–	3	–
Twine, the cwt.	–	2	–
Tubs, of wood, the nest	–	2	–
Turpentine, the gallon	–	–	6
Umbrellas and parasols, the cubic foot	–	5	–
Varnish, the gallon	–	–	6
Vermicelli, the cubic foot	–	2	6
Vinegar, the gallon	–	–	6
Weighing machines, the cwt.	–	4	–
Whips and walking sticks, the cubic foot	–	1	–
Whiting and chalk, the cwt.	–	1	–
Wine, in wood and bottle, containing less than 25 per cent. of alcohol of a specific gravity of ·825 at the temperature of 60 degrees of Fahrenheit's thermometer, the gallon, or for six reputed quart bottles, or twelve reputed pint bottles, the gallon	–	4	–
Woollen manufactures, not otherwise enumerated, and all articles made of wool mixed with any other materials, the cubic foot	–	5	–
Zinc sheets, tiles, ridging, guttering, piping, and roll, the cwt.	–	1	–
Zinc manufactures not otherwise described, the cwt.	–	4	–

38.—NEW ZEALAND—*continued.*

Table of Exemptions.

Anchors.
Anvils.

Blacksmiths' bellows.
Bottles of all kinds (empty).

Cabin furniture and effects, which have been in use, and not imported for sale.
Carriage springs, mountings, and trimmings.
Chain cables, and shackles over 3-8ths of an inch diameter.
Churns.
Cotton waste.
Copper and composition rod, bolts, sheathing, and nails.
Corn sieves and riddles.
Crab-winches, cranes, capstans, and windlasses.

Drainage pipes and tiles.

Felt for sheathing.
Filters.
Fire engines and hose.
Fish oil, in bulk.
Forges.

Gas pipes and machinery, and all material which may be specially imported for the construction of gas works.

Iron:
- Bridges, and all material which may be specially imported for the construction of bridges, wharves, jetties, or patent slips.
- Rod, bolt, bar, hoop, and pig.
- Lamp posts.
- Tanks.
- Plates, rivets, bolts, nuts, screws, and castings for ships.
- Weighbridges for carts.

Machinery:
- For agricultural purposes.
- For boring, brick and tile making, planing, punching, sawing, shearing, turning, and quartz-crushing.
- For mills and looms.
- For steam vessels.
- For wool and hay pressing.

Machine saws.
Maps and charts.

Organs, harmoniums, bells, and furniture, specially imported for places of public worship.

Passengers' baggage.
Printing machinery, presses, type, and materials; printing ink, and paper.
Printed books, papers, and music.
Ploughs and harrows.
Pumps and other apparatus for raising water.

Railway plant, and all materials which may be specially imported for the construction of railways and tramways.
Rope above three inches in circumference.

Sail cloth.
Sewing machines.
Ships' blocks.
Ship chandlery not otherwise described.
School books, slates, and apparatus.
Soda ash and caustic soda.
Soda water machines.
Steam engines and parts of steam engines.

Tarpaulins.

Water pipes not otherwise described, and all material which may be specially imported for the purpose of constructing waterworks.
And all other articles not otherwise described.

Part V.

Eastern Colonies.

39.—CEYLON.

(Transmitted in Governor's Despatch, No. 257, of 9 November 1866.)

TABLE of Duties of Customs payable on Goods, Wares, and Merchandise Imported into the Island of *Ceylon*.

Articles subject to Duty.	Amount of Duty. £. s. d.	Ordinance under which Duties are Levied.
Arms and Ammunition:		
Guns and Rifles, each	– 5 –	
Pistols, the pair	– 5 –	
Gunpowder, the lb.	– – 4	
Shot, the cwt.	– 1 6	
Bacon, butter, cheese, and hams, the cwt.	– 6 –	
Beef and pork, the cwt.	– 2 6	
Beer, ale, porter, and all other malt liquors:		No. 18, of 1852.
In wood, the gallon	– – 3	
In bottle, the gallon	– – 4	
Fish, dried or salted, and fins and skins, the produce of creatures living in the sea, per cwt.	– 1 –	
Flour (wheat), per cwt.	– 2 –	
Hops, per cwt.	– 6 –	
Juggery or palm sugar, not equal in quality to brown or muscovado sugar, the cwt.	– 1 –	No. 9, of 1853.
Malt, per bushel	– – 4	
Metals:		
Brass sheets, the cwt.	– 6 –	
Copper sheathing and nails, the cwt.	– 6 –	
Iron, bar, the ton	– 7 –	
„ corrugated, the ton	– 14 –	
„ galvanised, the ton	1 10 –	
„ hoop, the ton	– 10 –	
„ pig, the ton	– 5 –	
„ rod, the ton	– 8 –	No. 18, of 1852.
„ sheet, the ton	– 10 –	
Lead, sheet, the ton	1 – –	
Spelter and zinc, the ton	– 18 –	
Steel, the ton	– 18 –	
Opium, the lb.	– 1 –	
Paddy, the bushel	– – 3	
Pitch, rosin, or tar, the barrel	– 1 –	
Rice, wheat, gram, peas, beans, and other grain (except paddy), the bushel	– – 7	
Salt, the cwt.	– 4 3	No. 14, of 1857.
Saltpetre, the cwt.	– 1 –	
Spirits and cordials, the gallon	– 5 –	
Sugar, refined, or candy, the cwt.	– 5 –	
Sugar, unrefined, the cwt.	– 2 6	
Tea, the lb.	– – 6	
Tobacco:		
Manufactured, the cwt.	1 – –	
Unmanufactured, the cwt.	– 10 –	
Cigars and snuff, the lb.	– – 8	No. 18, of 1852.
Wine:		
In wood, the gallon	– 1 6	
In bottle, the gallon	– 2 6	
Goods, wares, and merchandise, not otherwise charged with duty, or prohibited, and not comprised in the Table of Exemptions hereinafter set forth, for every 100 *l.* of the value thereof, in this market	5 – –	

39.—CEYLON—*continued.*

Articles subject to Duty.	Amount of Duty.	Ordinance under which Duties are Levied.
Table of Exemptions.	£. s. d.	
Books and maps, printed Bullion, coin, pearls, and precious stones Coal, coke, and patent fuel Cocoa-nut oil	Free	No. 18, of 1852.
Coffee Coir yarn, rope, twine, and strands	Free	No. 9, of 1853.
Copperah Cotton wool Cowries and other shells	Free	No. 18, of 1852.
Fruit, not in any way preserved	Free	No. 9, of 1853.
Ground-nuts, gingeley seed, and linseed Horses, mules, asses, and all other live stock Ice	Free	No. 18, of 1852.
Machinery:		
Prime Movers:		
Windmills, water-wheels, water-pressure engines, turbines, and other hydraulic motors; all descriptions of marine, locomotive, stationary, and portable steam engines, pneumatic, atmospheric, and magneto-electric engines, their boilers, generators, fittings, connections and gearing; also machinery for lifting, forcing, conducting, or storing water		
Mill-work:		
All shafting-drums, machine pulleys, and belting, wall-boxes, hangers, brackets, plummer-blocks, brasses, and bushes, spur, mitre, bevel, and friction gearing; geared horseworks, either for horses, or adapted to other animals, with all fittings and connections for transmitting power to machinery		
Workshop Machinery:		
Punching, shearing, plate-bending, plate-cutting, rivetting, drilling, boring, planing, shaping, slotting, screw-making, sawing, tenoning, mortising, moulding, rebating, tongueing, and grooving machines, lathes, file-cutting, carving, engraving, bolt-making, rivet-making, and washer-making machines		
Forge and Foundry Machinery:	Free	No. 2, of 1859.
Steam, tilt, lift, and pneumatic hammers; forging machines; smithy or foundry fans, blowing machines, and ironwork for reverberatory furnaces, and cupolas		
Cranes, Presses, &c.:		
Hydraulic, screw, lever, or beam presses, cranes, derricks, crab-winches, screw and other jacks		
Machinery for Fibrous Substances and Textile Fabrics:		
Cotton-gins, openers, scutchers, lap machines, carding engines, drawing frames, slubbing frames, rovers, throstles, self-acting mules, spinning jennies, burring machines; teazing, condensing, fibre machines, hackling machines, balling engines, spreaders, towlap or cop winding machines, rope machines, silk-winding, spinning, sizing, doubling, throwing, fibre machines, hand-power and Jacquard looms; knitting machines; calenders		

39.—CEYLON—*continued.*

Articles subject to Duty.	Amount of Duty.	Ordinance under which Duties are Levied.
Table of Exemptions—*continued.*		
	£. s. d.	
Machinery—*continued.*		
Agriculture and Agricultural Produce:		
Machinery for the manufacture of oil and sugar; pulpers; peelers; winnowing, thrashing, corn-mill, and flour dressing machinery	Free	No. 2, of 1859.
Mining, &c.:		
Ore-crushing, stamping, washing, and separating machinery; stone-breaking machines, and machinery for tunnels, or perforating rocks		
Building and Sanitary purposes:		
Machinery for the manufacture of bricks, tiles, and drain-pipes; dredging and pile-driving machinery		
Gas Machinery:		
Retorts, gas mains, hydraulic mains, purifiers, condensers, gas-holders, hydraulic valves, gas meters, pressure gauges		
Paper and Printing:		
Printing and lithographic presses; type and type machinery; machinery used in the preparation and manufacture of paper		
Sundries:		
Machinery for the manufacture of fish guano, or other manures; bone-crushing and peat-compressing machinery; machines for the manufacture of casks		
Railway Machinery:		
Traversers, turntables, railway, and cart weighing machines, points, crossings, fittings, couplings, wheels, axles, axle-boxes, and iron work for railway carriages, rails (temporary and permanent), spring buffers		
All the machinery above stated either whole or in parts.		
Manures	Free	No. 18, of 1852.
Paper	Free	No. 3, of 1862.
Pepper, black	Free	No. 9, of 1853.
Regimental clothing, necessaries and accoutrements imported for the use of Her Majesty's land and sea forces	Free	No. 18, of 1852.
Seeds intended for agricultural and horticultural purposes, including plants		
Specimens illustrative of natural history		
Tanks (iron)		
Whale oil		

Prohibitions and Restrictions.—Inwards.

Ammunition, arms, gunpowder, and utensils of war by way of merchandise, except by license from Her Majesty, for furnishing Her Majesty's public stores only, under the special authority of the Governor.

Coin, viz.:
- False money, or counterfeit sterling.
- Silver of the realm, or any money purporting to be such, not being of the established standard in weight or fineness.

Indecent or obscene prints, paintings, books, or any other indecent or obscene articles.

39.—CEYLON—*continued.*

TABLE of Customs Duties payable on Goods, Wares, and Merchandise, being the Growth, Produce, or Manufacture of the Island of *Ceylon*, Exported to Parts beyond Seas.

Articles subject to Duty.	Amount of Duty. £. s. d.	Ordinances under which Duties are Levied.
Arreca nuts, the cwt.	– – 4	No. 2, of 1856.
Cinnamon, the bale of 100 lbs. net	– 2 –	
Coffee, the cwt.	– 1 –	
Coir yarn, fibre, rope, and junk, the cwt.	– – 3	
Copperah, or cocoa-nut kernels, the cwt.	– – 3	
Oil, cocoa-nut, the cwt.	– – 7½	
Sugar, the cwt.	– – 6	
Tobacco, unmanufactured, the cwt.	– – 4	
All other goods, wares, and merchandise, not otherwise charged with duty, nor comprised in the Table of Exemptions, for every 100 *l.* of the value thereof, in this market	2 10 –	
Exemptions.		
Books and maps, printed	Free.	
Bullion, pearls, precious stones (unset)		
Horses, mules, asses, and all other live stock		
Shells, cowries, chanks		
Seeds and plants		
Specimens illustrative of natural history		
Port Dues.		
Entry inwards, with cargo, per ton	– – 2	No. 18, of 1852.
Ditto in ballast	Free –	
Clearance outwards, with cargo, per ton	– – 2	
Ditto in ballast	Free –	
And in no case to exceed, either at the time of entry inwards or clearance outwards	5 – –	
Composition for Port Dues.		
Vessels conveying goods between one port and another within the island are allowed to compound for port dues for 12 months, at per ton	– 1 –	

40.—HONG KONG.

Hong Kong being a Free Port, no Duties are levied on goods either imported into or exported from this Colony.

41.—LABUAN.

No Import Duties are leviable, Labuan being a Free Port.

Part VI.

Mediterranean Possessions.

42.—GIBRALTAR.

(Transmitted in War Office Letter of 7 February 1867.)

TABLE of Duties authorised by Order in Council, dated 7th August 1865.

ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY.	ARTICLES SUBJECT TO DUTY.	AMOUNT OF DUTY.
Duty on Wines:	£. r. q.	Duty on Spirits, Strong Waters, or Cordials, admitted for Consumption in the Garrison:	£. r. q.
On every gallon introduced into the garrison or territory, otherwise than in regular wine bottles	– – 12	For every gallon being of the strength of proof by Sykes's hydrometer, and so in proportion for any greater strength than the strength of proof, and for any greater quantity than a gallon	1 – –
On all wines in bottles introduced into the garrison or territory, being in regular wine bottles, per dozen	– 3 –		

Wines deposited in the Queen's Stores, and afterwards exported from the same, are not liable to the above duty.

43.—MALTA.

(Transmitted in Governor's Despatch, No. 108, of 7 December 1866.)

DUTIES on Imports, and Dues for Store Rent, levied under Ordinances of 3rd November 1837, No. I. of 1851, and No. III. of 1857.

ARTICLE.	Import Duties. £. s. d.	Dues for Store Rent. (a) s. d.
Cattle:		
Bullocks, and other animals of the kind, per head	– 10 –	—
Horses and mules, per head	1 – –	– 1
Grain:		
Wheat, per salm	– 10 – (b)	– 2
Indian corn, per salm	– 6 – (b)	– 2
Barley, per salm	– 4 – (b)	– 2
Saggina, per salm	– 3 – (b)	– 2
Other inferior grain, per salm	– 5 – (b)	– 2
Manufactured grain, per cantar	– 6 –	– 2
Grain, if damaged so as to be unfit for the food of man (frumentazzo), per salm	– 2 – (b)	– 2
Manufactured grain, if damaged so as to be unfit for the food of man, per cantar	– 2 –	– 2
Oil, per caffiso	– – 6	– – ½ (c)
Potatoes, per cantar	– – 10	– 2
Pulse and Seeds:		
Beans, caravances, chick-peas, kidney-beans, lentils, lupins, peas, and vetches, per salm	– 2 – (b)	– 2
Carrob-beans and cotton seeds, per cantar	– – 6 (b)	– 2
Vinegar, per Maltese barrel	– 2 –	– 2 (c)
Spirits of any strength not exceeding the strength of proof by Sykes's hydrometer (namely, London proof) and so in proportion for any greater strength, per Maltese barrel	1 2 –	– 2 (d) – 3 (e)
Liquids compounded of spirit and other ingredients containing more than 25 per cent. of spirit of the strength of proof, per Maltese barrel	1 2 –	– 2 (d) – 3 (e)
Wines, exceeding 15 *l.* in value per pipa, *i. e.* 11 Maltese barrels, per Maltese barrel	– 11 –	– 2 (d) – 3 (e)
Other wines, per Maltese barrel	– 2 –	– 2 (c)
Beer, per Maltese barrel	– 2 –	– 2 (c)
Gunpowder, for each deposit, 100 lbs.	– – –	– 2 (f)
Packages kept in custody (levied under Government notice of 28 June 1858)	—	—
Goods not subject to duty, received in deposit (levied under Ordinance No. V. of 1862)	—	—

Observations.

(a) Payable from day of deposit. For exceptions, *vide* Ordinance, No. III. of 1857.
(b) By strike measure; except large Sicilian beans, the duties on which are levied by heaped measure.
(c) For each period of six months.
(d) For the first period of six months
(e) For each period of six months after the first six months
The change in regard to store-rent of grain, pulse, and seeds, came into operation on 20 July 1857.
(f) For exceptions, *vide* Ordinance, No. III. of 1857.

Part VII.

Heligoland and Falkland Islands.

44.—HELIGOLAND.

No Import or Export Duties are levied in this Island.

45.—FALKLAND ISLANDS.

No Import Duties are payable at the Falkland Islands.

CUSTOMS TARIFFS (COLONIES).

RETURN of the Changes made in the Customs Tariffs of Her Majesty's Possessions Abroad (in continuation of Parliamentary Paper, No. 560, of Session 1864).

(*Mr. Adderley.*)

Ordered, by The House of Commons, *to be Printed,*
3 *July* 1867.

[*Price* 8 *d.*]

419.

Under 8 *oz.*

IMMIGRANTS AND LIBERATED AFRICANS.

RETURN to an Address of the Honourable The House of Commons, dated 12 February 1867;—*for*,

"RETURN showing the Number of IMMIGRANTS and LIBERATED AFRICANS admitted into each of the *British West India* Colonies, as well as the Places from whence they were introduced, from the Year 1843 to the end of the Year 1856, and in each Year since the 1st day of January 1857, to the end of the Year 1866:"

"Similar RETURN for *Mauritius*:"

"And, RETURN of the Number of those who have RETURNED from each Place in each Year to their own COUNTRIES, and (as far as can be ascertained) the Amount of EARNINGS remitted through Government Agency in their behalf (in continuation of Parliamentary Paper, No. 167, of Session 1866)."

Colonial Office,
5 April 1867.

C. B. ADDERLEY.

(*Mr. Moffatt.*)

Ordered, by The House of Commons, *to be Printed*,
8 *April* 1867.

RETURN of IMMIGRANTS and LIBERATED AFRICANS introduced into the *West India* Colonies and *Mauritius* from the Year 1843 to the end of the Year 1856, and in each Year since the 1st day of January 1857 to the end of the Year 1866, so far as known.

JAMAICA.

WHENCE EMIGRATING.	1843 to 1856.	1857.	1858.	1859.	1860.	1861.	1862.	1863.	1864.	65.	1866.	TOTAL.
Great Britain	13	–	–	–	–	–	–	–	–	–	–	13
Madeira	379	–	–	–	–	–	–	–	–	–	–	379
Sierra Leone	2,552	–	–	–	–	390	–	–	–	–	–	2,942
St. Helena	2,632	–	–	–	47	259	608	533	–	–	–	4,079
East Indies	4,550	–	–	–	598	1,523	1,982	542	–	–	–	9,195
China	(a) 472	–	–	–	–	–	–	–	–	–	–	472
Canada	145	–	–	–	–	–	–	–	–	–	–	145
United States	23	–	–	–	–	–	–	–	–	–	–	23
British West Indies	382	–	–	–	–	–	–	–	–	–	–	382
Havannah	347	–	–	–	–	–	–	–	–	–	–	347
Direct from Captured Slavers.	230	362	–	–	–	–	–	–	–	–	–	592
TOTAL	11,725	362	–	–	645	2,172	2,590	1,075	–	–	–	18,569

BRITISH GUIANA.

WHENCE EMIGRATING.	1843 to 1856.	1857.	1858.	1859.	1860.	1861.	1862.	1863.	1864.	1865.	1866.	TOTAL.
Great Britain	21	–	–	–	–	–	–	–	–	–	–	21
Madeira	18,569	342	(b) 1,556	(c) 945	(d) 531	(e) 70	(f) 38	–	–	118	49	22,218
Cape de Verds	766	–	53	–	–	–	–	–	–	–	–	819
Azores	164	–	–	–	–	–	–	–	–	–	–	164
Sierra Leone	4,619	–	–	–	–	–	–	–	–	–	–	4,619
Kroo Coast	381	–	–	–	–	–	–	–	–	–	–	381
St. Helena	2,590	–	281	–	625	40	558	(g) 446	390	42	–	4,972
East Indies	22,730	2,596	1,405	3,804	5,078	3,729	5,625	2,353	2,710	3,216	2,525	55,771
China	647	–	–	699	1,942	3,365	2,590	396	509	1,691	789	12,628
British West Indies	1,187	–	56	–	–	–	–	69	4,297	(h) 2,549	(i) 715	8,873
Surinam	31	–	–	–	–	–	–	–	–	–	–	31
Rio de Janeiro	441	–	–	–	–	–	–	–	–	–	–	441
Martinique } Guadaloupe }	367	–	–	–	–	–	–	–	–	–	–	367
TOTAL	52,513	2,938	3,351	5,448	8,176	7,204	8,811	3,264	7,906	7,616	4,078	111,305

TRINIDAD.

WHENCE EMIGRATING.	1843 to 1856.	1857.	1858.	1859.	1860.	1861.	1862.	1863.	1864.	1865.	1866.	TOTAL.
Madeira	725	–	–	–	–	–	–	–	–	–	–	725
Cape de Verds	–	172	–	–	–	–	–	–	–	–	–	172
Sierra Leone	2,474	–	–	–	226	–	–	–	–	–	–	2,700
St. Helena	2,292	–	30	4	470	–	–	–	–	–	–	2,796
East Indies	10,569	1,414	2,083	3,363	2,169	2,544	1,603	1,801	949	2,759	473	29,727
China	988	–	–	–	–	–	467	–	–	593	597	2,645
United States	47	–	–	–	–	–	–	–	–	–	–	47
British West Indies	4,773	–	–	–	–	–	–	–	–	–	–	4,773
Rio de Janeiro	879	–	–	–	–	–	–	–	–	–	–	879
TOTAL	22,747	1,586	2,113	3,367	2,865	2,544	2,070	1,801	949	3,352	1,070	44,464

(a) This includes 205 Chinese brought from Panama.

(b) 72
(c) 261
(d) 396
(e) 35
(f) 9
(g) 74
(h) 63
(i) 80

} of these were not introduced at the public expense.

Immigrants and Liberated Africans introduced into the *West India* Colonies, &c.—*continued.*

Whence Emigrating.	1843 to 1856.	1857.	1858.	1859.	1860.	1861.	1862.	1863.	1864.	1865.	1866.	Total.
ST. LUCIA.												
Sierra Leone	551	–	–	–	–	–	–	–	–	–	–	551
St. Helena	568	–	–	–	–	–	179	–	–	–	–	747
East Indies	–	–	–	555	660	–	320	–	–	–	–	1,535
Total	1,119	–	–	555	660	–	499	–	–	–	–	2,833
ST. VINCENT.												
Madeira	546	–	–	–	–	–	–	–	–	–	–	546
Sierra Leone	234	–	–	–	–	–	–	–	–	–	–	234
St. Helena	575	–	–	–	94	119	14	–	–	–	–	802
East Indies	–	–	–	–	–	260	307	–	–	–	214	781
Total	1,355	–	–	–	94	379	321	–	–	–	214	2,363
GRENADA.												
Madeira	431	–	–	–	–	–	–	–	–	–	–	431
Sierra Leone	972	–	–	–	–	–	–	–	–	–	–	972
St. Helena	85	–	–	–	92	122	57	114	–	–	–	470
East Indies	–	283	362	299	–	–	1,097	–	–	–	260	2,301
Saba	23	–	–	–	–	–	–	–	–	–	–	23
Total	1,511	283	362	299	92	122	1,154	114	–	–	260	4,197
ANTIGUA.												
Madeira	1,973	–	44	–	–	11	–	191	–	–	–	2,219
Cape de Verds	195	12	–	–	–	–	–	–	–	–	–	207
China	–	–	–	–	–	–	–	*100	–	–	–	100
British West Indies	19	–	12	26	–	–	–	1,005	–	–	–	1,062
Total	2,187	12	56	26	–	11	–	1,296	–	–	–	3,588

* Received from a French vessel stranded at Barbuda.

Immigrants and Liberated Africans introduced into the *West India* Colonies, &c.—*continued.*

Whence Emigrating.	1843 to 1856.	1857.	1858.	1859.	1860.	1861.	1862.	1863.	1864.	1865.	1866.	Total.
ST. KITT'S.												
Great Britain	–	–	1	–	–	–	–	–	–	–	–	1
Madeira	106	157	253	103	77	43	50	219	–	–	15	1,023
Sierra Leone	95	–	–	–	–	–	–	223	–	–	–	318
St. Helena	137	–	–	–	–	–	–	–	–	–	–	137
East Indies	–	–	–	–	–	337	–	–	–	–	–	337
British West Indies	5	–	–	–	–	–	–	–	–	–	–	5
Total	343	157	254	103	77	380	50	442	–	–	15	1,821
NEVIS.												
Madeira	427	–	–	–	–	–	–	–	–	–	–	427
Total	427	–	–	–	–	–	–	–	–	–	–	427
TOBAGO.												
Sierra Leone	46	–	–	–	–	–	–		–	–	–	46
St. Helena	246	–	–	–	–	–	225	–	–	–	–	471
Total	292	–	–	–	–	–	225	–	–	–	–	517
BAHAMAS.												
From Wrecked Slaver	–	–	–	–	389	–	–	–	–	–	–	389
Total	–	–	–	–	389	–	–	–	–	–	–	389
HONDURAS.												
China	–	–	–	–	–	–	–	–	–	474	–	474
British West Indies	–	–	–	–	–	–	–	–	–	129	–	129
Total	–	–	–	–	–	–	–	–	–	603	–	603

Immigrants and Liberated Africans introduced into the *West India* Colonies, &c.—*continued.*

Whence Emigrating.	TOTAL TO WEST INDIES.											
	1843 to 1856.	1857.	1858.	1859.	1860.	1861.	1862.	1863.	1864.	1865.	1866.	Total.
Great Britain -	34	–	1	–	–	–	–	–	–	–	–	35
Madeira - -	23,156	499	1,853	1,048	608	124	88	410	–	118	64	27,968
Cape de Verds -	961	184	53	–	–	–	–	–	–	–	–	1,198
Azores - - -	164	–	–	–	–	–	–	–	–	–	–	164
Sierra Leone - -	11,543	–	–	–	226	390	–	223	–	–	–	12,382
Kroo Coast - -	381	–	–	–	–	–	–	–	–	–	–	381
St. Helena - -	9,125	–	311	4	1,328	540	1,641	1,093	390	42	–	14,474
East Indies - -	37,849	4,293	3,850	8,021	8,505	8,393	10,934	4,696	3,659	5,975	3,472	99,647
China - - -	2,107	–	–	699	1,942	3,365	3,057	496	509	2,758	1,386	16,319
Canada - - -	145	–	–	–	–	–	–	–	–	–	–	145
United States - -	70	–	–	–	–	–	–	–	–	–	–	70
British West Indies	6,366	–	68	26	–	–	–	1,074	4,297	2,678	715	15,224
Havannah - -	347	–	–	–	–	–	–	–	–	–	–	347
Saba - - -	23	–	–	–	–	–	–	–	–	–	–	23
Surinam - -	31	–	–	–	–	–	–	–	–	–	–	31
Rio de Janeiro -	1,320	–	–	–	–	–	–	–	–	–	–	1,320
Martinique } Guadaloupe } -	367	–	–	–	–	–	–	–	–	–	–	367
Direct from captured and wrecked Slavers.	230	362	–	–	389	–	–	–	–	–	–	981
Total - -	94,219	5,338	6,136	9,798	12,998	12,812	15,720	7,992	8,855	11,571	5,637	191,076

Whence Emigrating.	MAURITIUS.											
	1843 to 1856.	1857.	1858.	1859.	1860.	1861.	1862.	1863.	1864.	1865.	1866.	Total.
Ibo, East Coast of Africa.	325	–	–	–	–	–	–	–	–	–	–	325
Madagascar - -	39	–	–	–	–	–	–	–	–	–	–	39
Aden - - -	632	–	–	–	–	–	–	–	–	–	–	632
East Indies - -	173,141	12,725	29,946	44,397	13,286	13,985	9,893	5,254	7,575	20,278	5,596	336,076
China - - -	843	–	–	–	–	–	–	–	–	–	–	843
Direct from captured Slaver.	–	–	–	–	730	*568	†199	–	–	–	–	1,497
Total - -	174,980	12,725	29,946	44,397	14,016	14,553	10,092	5,254	7,575	20,278	5,596	339,412

* 202 of these were landed in the Seychelles.

† Landed in the Seychelles.

Government Emigration Board,
8, Park-street, Westminster,
27 March 1867.

S. Walcott.

RETURN showing the Number of IMMIGRANTS and LIBERATED AFRICANS who have RETURNED to their own COUNTRIES from the *British West India* Colonies and *Mauritius*, and (as far as can be ascertained) the Amount of EARNINGS remitted through Government Agency in their Behalf, from 1843 to 1866.

YEAR.	From JAMAICA.		From BRITISH GUIANA.		From TRINIDAD.		From MAURITIUS.	
	Number.	Amount of Earnings.	Number.	Amount of Earnings.	Number.	Amount of Earnings.	Number.	Amount of Earnings.
		£. s. d.		£. s. d.		£. s. d.		
1843 to 1856	1,644	(a) 3,000 – –	(b) 3,283	(c) 25,474 19 2	1,675	23,561 10 10	46,066	
1857	–	– – –	595	10,963 1 3	343	6,392 19 7	4,593	
1858	126	No Return	323	5,705 10 11	359	5,829 18 11	8,165	
1859	–	– – –	797	15,018 12 8	–	– – –	5,118	
1860	–	– – –	–	– – –	–	– – –	2,833	
1861	74	No Return	–	– – –	303	4,076 13 8	3,257	No Returns.
1862	–	– – –	407	(d) 8,983 15 –	–	– – –	2,212	
			7	(e) 403 6 8	–	– – –		
1863	–	– – –	–	– – –	–	– – –	3,221	
1864	–	– – –	467	(f) 13,939 7 9	–	– – –	3,413	
1865	–	– – –	462	(g) 11,485 4 2	514	(h) 14,000 – –	3,621	
1866	–	– – –	–	– – –	–	– – –	3,815	
TOTAL	1,844	3,000 – –	6,341	91,973 17 7	3,194	53,861 3 –	86,414	—

(*a*) This is for two ships only, carrying 588 passengers. No returns for the other vessels.

(*b*) In regard to 1,308 passengers of this number there are no returns of money deposited with the Government authorities, or of the sums they had in their possession on embarkation for their own countries.

(*c*) In this amount are included the sums, so far as known, deposited by the passengers with the captains of the vessels in which they embarked.

(*d*) In addition to this amount, which was deposited with the Government Immigration Agent, that officer estimates that the savings of these Coolies could not be less than 15,000*l.*, including the value of the jewels and money which they took back with them, and the cost of the passages and clothing (1,445*l.* 8*s.* 4*d.*) of such of them as were not entitled to free return passages.

(*e*) Besides this amount, these people paid for their own passages back to India *viâ* England.

(*f*) In this amount is included 1,000 *l.*, the estimated value of the jewels on the immigrants, and a Bill of Exchange for 494 *l.* 15 *s.* 10 *d.*, which one of the Coolies took with him.

(*g*) This includes 250 *l.*, the estimated value of the jewels on the immigrants.

(*h*) This amount consisted of—

	£.	s.	d.
Money deposited in Colonial Chest	9,700	–	–
Specie in possession of immigrants	2,701	3	7
Estimated value of jewels and undeclared specie	2,598	16	5
	£. 14,000	–	–

In addition to this sum, 77 people paid their own passages at the rate of 11 *l.* 19 *s.* 9 *d.* per adult, amounting to 911 *l.* 1 *s.*

Government Emigration Board,
8, Park-street, Westminster,
27 March 1867.

S. Walcott.

IMMIGRANTS
AND LIBERATED AFRICANS.

RETURN, showing the Number of IMMIGRANTS and LIBERATED AFRICANS admitted into each of the *British West India* Colonies, and *Mauritius*, as well as the Places from whence they were introduced, from the Year 1843 to the end of the Year 1856, and in each Year since the 1st January 1857, to the end of the Year 1866; &c.

(*Mr. Moffatt*)

Ordered, by The House of Commons, *to be Printed,*
8 *April* 1867.

213.

Under 1 *oz.*

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JAMAICA.

FURTHER CORRESPONDENCE

RELATIVE TO

THE AFFAIRS OF JAMAICA.

(*In continuation of Papers presented* 10*th August* 1866.)

Presented to both Houses of Parliament by Command of Her Majesty.
28*th May* 1867.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1867.

18364.

3859

SCHEDULE.

DESPATCHES FROM THE GOVERNOR.

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FURTHER CORRESPONDENCE, &c.

Despatches from the Governor.

No. 1.

No. 1.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 6.) King's House, August 22, 1866.
(Received, September, 13 1866.)

MY LORD, (Answered, No. 55, September 28, 1866, page 43.)

I HAVE the honor to acknowledge the receipt yesterday of your Lordship's Despatch No 30,* of the 30th of July; and in reply thereto, as also in continuation of Sir Henry Stork's Despatch to your Lordship, dated the 6th instant, forwarded by last mail, I have to report that I have just had a consultation with the Attorney General on those cases in which grave offences have been laid to the charge of civilians during the suppression of the recent disturbances here.

* Vide Papers presented 10th August 1866, p. 106.

2. The Attorney General has not yet quite gone through the whole of the very voluminous evidence taken by the Royal Commission, in which the indications of such cases as are in question are to be found. But it is not likely, I think, that more than three cases will be brought forward by him as requiring, from their character, and taking into consideration the chances of conviction, to be considered with a view to public prosecution.

3. The mass of the cases in which a grave offence has been imputed to persons engaged in the suppression of the disturbances are cases in which military officers were concerned, and these cases are for the consideration exclusively of the military authorities. There is only one case, as I understand, in which a civilian is concerned, wherein life has been taken in a manner charged as unjustifiable. This is the case of Mr. Ramsay, who will be tried for murder at the next sessions. In the other cases, the imputation is for flogging unjustifiably, or in an unjustifiable manner. When the Attorney General reports upon these, the question of a public prosecution will be determined, to the best of my ability, in accordance with the spirit of the general instructions which my immediate predecessor and myself have received on the subject.

4. Excluding Mr. Ramsay's case, all the civilian cases fall under the legal designation of assault, and in any and all of them it is and will be in the power of the complainants themselves to prosecute the persons complained of, either civilly for damages, or criminally. I apprehend, therefore, that in making any of such cases the subjects of public prosecution, the object should be to select for this special mark of the condemnation of Government such abuses of power as have tended most notably to bring discredit upon the administration of the Colony.

5. Whatever has been done reasonably, and in good faith, for the suppression of the insurrection, or in obedience to the orders of the Government, will be considered as I understand, to be protected by the Act of Indemnity.

I have, &c.
(Signed) J. P. GRANT.

The Right Hon. the Earl of Carnarvon,
&c. &c. &c.

No. 2.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

No. 2.

(No. 22.) King's House, October 9, 1866.
(Received, October 29, 1866.)

MY LORD, (Answered, No. 83, November 12, 1866, page 46.)

IN the month of March last Sir Henry Storks had occasion to bring to the knowledge of your Lordship's predecessor a difficulty which had arisen with certain negro settlers on Hartlands, an abandoned estate in the neighbourhood of Spanish Town, of which the proprietor had determined to resume possession. It will be within your

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Lordship's recollection that these settlers resisted the surveyors who had been sent to run the lines of the property, and that Sir Henry Storks deemed it necessary to send a force of 150 soldiers in support of the police, in order to enforce obedience to the law. Further legal proceedings have since that time been taken by the proprietor to enforce his rights of possession, and finally judgment was pronounced by the court in his favour, and a writ of ejectment was issued against the settlers.

2. This writ was entrusted to the Deputy Provost Marshal for execution. On his proceeding to Hartlands on the 20th ultimo to serve it, he was opposed by the settlers, and he thereupon returned to Spanish Town, and reported the circumstance to the Government.

3. I may here mention that the proprietor, Mr. Hart, had offered terms of compromise which appeared to me to be fair and considerate. He had surrendered about 500 acres of the estate on which the main body of the settlers are located, and for which there was more or less of evidence that some price had been paid by them; and he had offered to allow the negroes living on other portions of the land, who, judging from the result of the legal proceedings, would seem to be nothing more than unauthorized squatters, to retain their houses and plots of ground, on signing written agreements acknowledging his proprietary rights, and agreeing to pay rent as his tenants.

4. After the return of the Deputy Provost Marshal to Spanish Town these settlers addressed to me the memorial of which I enclose a copy. To this memorial I returned an answer, of which also I annex a copy, pointing out to the settlers their legal position; giving them clearly to understand that the law would certainly be carried into execution by an adequate force, and that any opposition to it would be useless, and would merely entail upon them personal pains and penalties, in addition to the loss of house and land. Such being their position, I put it to them to consider whether their wisest course would not be to accept the terms offered them. I also requested Mr. Phillippo, who had successfully used his influence with these people on the former occasion, to see and advise them on this occasion also; and at the same time I ordered 30 policemen to be sent from Kingston, to reinforce the small party of only 14 men available in Spanish Town, so as to have at hand a force sufficient to overawe any attempt at resistance that might be made.

5. I am happy to say that no such attempt was made. The people having received the intimation I gave them, and having come to and consulted with Dr. Phillippo, of their own accord gave him an assurance that no resistance would be offered, and at the same time requested that the police might not be sent up, so that it might not appear that they had yielded to force. The Deputy Marshal accordingly, by my advice, went up alone, and the writ of ejectment was peaceably executed.

6. A matter which has been the cause of a good deal of trouble and anxiety has thus been settled without any breach of the peace, and indeed without the actual employment of force on the part of the Government.

7. This case affords, however, an illustration, if one were needed, of the necessity in this country for a strong and efficient police force. Hartlands is within a few miles of Spanish Town, and I was therefore able to bring from Kingston a sufficient number of constables; but were a similar difficulty to occur in a distant part of the country it might be impossible to collect a respectable force, and the apparent weakness of the Government would be a direct encouragement to the negroes to resist the law.

8. I have thought it due to Mr. Phillippo to express to him my cordial acknowledgments for the service he has rendered to the Government on this occasion; and I enclose, for your Lordship's information, copy of a letter which I caused to be addressed to him and of his answer.

I have, &c.

The Right Hon. the Earl of Carnarvon,
&c. &c. &c.

(Signed) J. P. GRANT.

Enc., in No. 2.

Enclosure in No. 2.

To His Excellency Sir JOHN PETER GRANT, K.C.B., Captain-General and Governor-in-Chief of the Island of Jamaica, &c. &c. &c.

The humble Memorial of James McCleod, William Tongue, John Lyon, Joseph Brown, Daniel Mcfarlane, Archibald Hamilton, and Samuel Lewin, of Hartlands, in the parish of Saint Catherine, in the county of Middlesex and island aforesaid, Labourers.

Sheweth:—

That after Sir Henry Knight Storks, G.C.B., G.C.M.G., late Governor of Jamaica, had interposed his great authority between the inhabitants of Hartlands and John Jonas Hart, Esq., of the city and parish of Kingston, in the county of Surrey, in reference to the vexed question of Hartlands,

your memorialists were appointed a deputation (that was received, recognized, and communicated with by Sir Henry Knight Storks, G.C.B., G.C.M.G.,) to wait upon your Excellency's distinguished predecessor.

That your memorialists, as such deputation, had periodically waited upon Sir Henry Storks, on behalf of the inhabitants of Hartlands and themselves, in relation to the settlement of the vexed question.

That in order that Sir Henry Storks should have understood the whole history of Hartlands, and *how* the inhabitants had got there and also your memorialists themselves, a very elaborate case was drawn up by your memorialists and the inhabitants of Hartlands' lawyer, Alexander Mitchell, Esq., and transmitted to Sir Henry Storks; and after a careful and attentive consideration of it by his Excellency, your memorialists had had several interviews with his Excellency on the best way of settling the vexed question, *and it was agreed upon ultimately that a "court of arbitration" should be had for that purpose.* This was done by a memorial from your memorialists to Sir Henry Storks, who made the same known to Charles Hamilton Jackson, Esq., who was and is Mr. Hart's solicitor.

That at one of those interviews there were present the Hon. Alexander Heslop (A.G.), C. H. Jackson, Esq. (solicitor for Mr. Hart), J. J. Hart, Esq., and your memorialists too.

That your memorialists had been assured by Sir Henry Storks that the case or settlement of the question of Hartlands would be by no other court than that which was determined on, namely a "court of arbitration," and all that your memorialists were to do was to wait upon Messrs. Jackson and Hart, which your memorialists had been doing to the present moment.

That, notwithstanding this, the Deputy Marshal of St. Catherine, J. Bernal, Esq., and R. Swire, Esq., and another gentleman, came out to Hartlands on Thursday last, entered upon the provision fields of many of the inhabitants of that place, and turned them out of them; and the gentleman whose name is unknown to your memorialists, but who accompanied the aforesaid, said, while the others were dispossessing the persons aforesaid, "*If you don't go out we will bring back the soldiers; this is not Governor "Storks' time;*" but the persons said nothing, and did not leave.

That your memorialists have great reason to assume that your Excellency must have already known all about the Hartlands question, your Excellency being the *immediate* successor of Sir Henry Storks.

That under these circumstances, and for these reasons, your memorialists, on the behalf of the inhabitants of Hartlands and of themselves, have thus brought the recent occurrence to your Excellency's notice.

Your memorialists, therefore, respectfully and humbly put the merits of this memorial to your Excellency's careful and kind consideration, and pray earnestly and sincerely that your Excellency may exercise such means as may be necessary to relieve your memorialists and the inhabitants of Hartlands from any future annoyance until the vexed question shall be settled as agreed upon before Sir Henry Storks. And your memorialists, as in duty bound, will ever pray, &c. &c. &c.

(Signed) James McCleod. Wm. Tongue.
Jno. Lyon. Jos. Brown.
Danl. Mcfarlane. Archd. Hamilton.
Saml. Lewin.

St. Catherine, 24th September 1866.

Colonial Secretary's Office, September 25, 1866.

His Excellency the Governor has received the memorial, dated 24th instant, of James McCleod, William Tongue, John Lyon, Joseph Brown, Daniel Mcfarlane, Archibald Hamilton, and Samuel Lewin, of Hartlands, in the parish of St. Catherine.

His Excellency cannot enter into the merits of their case, which has been tried by a competent court of law, and in which that court has pronounced judgment, and has issued an order in execution thereof. That order has been put into the hands of the Provost Marshal, who is required by law to enforce it, and who will immediately enforce it. For the purpose of preventing any unlawful resistance to that order of the court, a body of police will be present when the Provost Marshal proceeds to enforce his writ. The petitioners therefore must obey the law. No resistance on their part can possibly save them from the necessity of giving up possession of the land and houses, of which the writ authorizes the Provost Marshal to deliver possession. The only effect of unlawful resistance of process will be to make them suffer personal pains and penalties, besides the loss of the houses and land from which the court has ejected them.

The petitioners may be quite certain that whatever force of police, and, if necessary, of military, is required to support the law will be employed, and that all who unlawfully resist will be apprehended and punished with the utmost severity of the law.

By his Excellency's command,
(Signed) Henry T. Irving,
Colonial Secretary.

No. 1591. The Colonial Secretary to the Reverend Mr. Phillippo.

Sir, Colonial Secretary's Office, October 4, 1866.

The Provost Marshal General having officially reported the peaceable execution of the writ of ejectment on the settlers at Hartlands, the Governor desires me, on this satisfactory conclusion of the business, to convey to you his cordial thanks for the assistance you have rendered on this occasion to the Government.

It is a matter of gratification to his Excellency, and it must be to yourself, that the people were induced voluntarily to obey the law, and without the exhibition of force on the part of the Government,

JAMAICA.

and he is sensible that your active personal exertions, and the pains you took to advise the people and to explain to them their legal position, have very materially contributed to this satisfactory result.

I have, &c.

The Rev. James M. Phillippo, Spanish Town.

(Signed) HENRY T. IRVING.

The Reverend Mr. PHILLIPPO to the COLONIAL SECRETARY.

SIR, Spanish Town, October 5, 1866.

I HAD the honour to receive a communication from you yesterday (No. 1591), informing me that the "Provost Marshal" General having officially reported the peaceable execution of the writ of ejectment on the settlers at Hartlands, his Excellency the Governor desired you, on this satisfactory conclusion of the business, to convey to me his cordial thanks for the assistance I had rendered on the occasion to the Government; at the same time expressing his opinion of the degree in which my advice and efforts had contributed to the termination of the difference which had so long been a source of trouble and anxiety to the Government.

It is scarcely necessary for me to state in reply that, while I cannot but consider his Excellency the Governor has overrated my services, I feel greatly indebted to his Excellency for his kindness in requesting you to make this acknowledgment, as it assures me not only of his Excellency's desire to appreciate efforts for the general good, by whomsoever rendered, but as it also implies confidence in the disinterested motives and aims of ministers of the gospel in general for the good of the people in their habitual inculcation of habits of social order and obedience to law.

His Excellency does me the honour to anticipate that the results of my efforts have been satisfactory to myself. I can assure his Excellency that they have been abundantly so—such indeed as have more than compensated me for any little trouble or sacrifice at which they have been procured. At the same time, I beg permission to add that it will be to me personally a source of sincere gratification, as well as to be esteemed by me an honour, to be of future assistance to his Excellency to the utmost of my power in endeavouring to diminish the labours and anxieties inseparable from the administration of the government of the Island in this very critical period of its affairs; while I will not fail to pray that his Excellency may have all the wisdom and grace "given him from above," from day to day, necessary for the performance of his high and responsible duties in a manner acceptable to God, and eminently promotive of the interests, temporal and spiritual, of the country at large.

Repeating my assurance to his Excellency of the great value I place on the testimony he has so kindly and generously borne to my humble services,

I have, &c.

The Hon. H. T. Irving, &c., &c., Colonial Secretary.

(Signed) JAMES M. PHILLIPPO.

No. 3.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 23.) King's House, October 9, 1866.

(Received, October 29, 1866.)

MY LORD, (Answered, No. 79, November 7, 1866, page 45.)

* Vide Papers presented 10th August 1866, p. 106.

IN reply to your Lordship's Despatch No. 31,* of the 1st of August, directing me, after consultation with the learned Judge who presided, to report whether, in my opinion, in any of the cases tried at the Special Commission of Oyer and Terminer held on and after the 24th of January last at Kingston, there are grounds for remitting any portion of the sentences, I have the honour now to report the result upon my mind of the examination I have made in obedience to your Lordship's instructions.

2. I find that in only one of these cases, namely No. 11 on the Calendar,—the Queen versus Bogle, Henry Theopilus, and others,—do any prisoners now remain undergoing sentence. Out of eleven cases, the accused persons were discharged in three, and in one case the Attorney General entered a *nolle prosequi* in two cases of murder; two prisoners, found guilty and sentenced to death, were executed; and in three cases the prisoners were sentenced to short terms of imprisonment, which all expired several months ago. Two cases remain. In one of these, that of Mr. Levien, tried for a seditious libel, the prisoner was sentenced to a year's imprisonment, and the sentence had about half its term to run when I took charge of the Government of this Colony. In this case the prisoner had submitted a petition directly to the Secretary of State, which was returned to me for disposal with your Lordship's Despatch of the 24th July last, received here on the 20th of August. As reported in my Despatch No. 9, of the 6th

ultimo, on a full consideration of the case and after consultation with the learned Judge who presided at the trial, I thought it right to extend the mercy of the Crown to this prisoner, who was accordingly released after enduring something more than half the term of his sentence. Thus the case No. 11 above mentioned is all that remains to be dealt with in the present Despatch.

3. In this case the charge was for felonious riot, as noticed in your Lordship's Despatch now under reply. On such a charge, the particulars of the case being unreported, sentences of penal servitude for life, and for twenty years, must appear very severe. An exposition of the actual nature of this case, however, will remove the impression which a mere view of the Calendar would convey.

4. No more criminal designs were entertained, and no more serious crimes were committed, in the preparation for and in the course of the disturbances, than those criminal designs and crimes charged against the prisoners in this case in the *two* indictments presented and found by the grand jury. These two indictments, one for the capital offences of treason and murder, the other for the offence of felonious riot, under a colonial statute not punishable by death, with the depositions by which they were supported; an analysis of the same by the junior counsel; the reasons of the Attorney General for trying the prisoners only for the minor offence; the evidence on that trial; the verdict and sentences, will all be found printed at full length in the Parliamentary Blue Book of "Papers laid before the Commission of Inquiry by Governor Eyre," presented to Parliament in June 1866. As the presiding Judge has informed me that the evidence at the trial, as printed at page 349 *et seq.* in that book, is plainly the copy of his own notes furnished by him to Governor Eyre, it was unnecessary to ask him for his manuscript notes.

5. It appears to me that, *as far as it goes*, this judicial evidence is of even greater value than any evidence which could be obtained by the Royal Commissioners in their admirably conducted inquiry. Where evidence is given under the solemnities of a great criminal trial, with the certain consciousness that every word may affect all but the life of the person it implicates, in the presence of those implicated, subject to their cross-examination, closely restricted to the issue in hand and to the matters of fact within the personal knowledge of the witness, and necessarily carried through till everything material is brought out on both sides, it has properly an effect on the mind that evidence wanting, whether wholly or only partially, in these qualities cannot have. Now this evidence in this trial goes to the bottom of the outrage at Morant Bay on the 11th of October, and it goes sufficiently into previous proceedings, especially those at Stoney Gut on the 10th of October, to show how far that outrage was or was not pre-determined and pre-arranged, and what it was that those concerned imagined they had commenced when they had committed it. It must be taken, therefore, as affording in itself, not only the best foundation there is for a judgment upon the character of what was by far the greatest atrocity committed during the few days of actual disturbance; but also to a considerable extent a good foundation for a judgment upon the design of the leaders concerned.

6. Moreover, this trial, which was held according to all the rules of English law, and was presided over by a legal judge, was necessarily deliberate, regular, fair, and full, giving the accused every reasonable facility of defence; and was therefore necessarily such as to afford every ground of reasonable conviction as to the truth of the verdict. But, with the exception of the two murder cases above-mentioned, this was, most unfortunately, the only important trial of the same sound character held from first to last. If, therefore, there is unhappily reason to fear that in some other cases, terminated without trial or after summary or hasty trial, mistakes in point of substantial justice may have been committed, this consideration should have no weight in reviewing the results of the trial now in question, which ought to stand upon its own merits, like any ordinary great criminal trial for a string of heinous offences.

7. I should not faithfully submit to your Lordship my full opinion upon this case if I did not say that in view merely to the future quiet of this Island, it is with me a matter of deep regret that, from the moment when those measures of military execution which were necessary to the immediate restoration of the peace had had their desired effect, every prisoner whom it was resolved to proceed against at all was not tried by the method adopted in the trial now under revision. It appears to me that as soon as the immediate and paramount object was attained, such considerations as guide justice at all times came into force, and it further appears to me (which is my present point) that such considerations remain in full force down to the present time. It would be a great misfortune were any class of people here to fall into the delusion that because certain hasty measures of severity have been unavoidably disapproved, the acts which called forth those

measures, so far as they really were highly criminal and dangerous, are such as are thought lightly of by the highest authorities. The re-action after martial law must involve some risk of this sort; and it would be an unfortunate necessity, were the Government obliged, on supreme considerations of a merciful justice, to do anything that might tend to confound a grave sentence of the law, regularly and solemnly pronounced, with some hasty proceedings which cannot be too greatly deplored. Having given the case of every one of these prisoners my best attention, it is my opinion that considerations of justice will not admit of any remission of the punishment in some of the cases; and that in others of them, though the mercy of the Crown may be extended to them at a future time, it would not be advisable, for the reasons to which I have above ventured to point, to announce any remission of punishment for a long time to come; and then only if the state of feeling in the Colony recovers its tone.

8. The judicial evidence in this case proves that the march and attack upon the court house on the 11th of October were premeditated as part of an intended insurrection; that there had been previous swearings in and drillings in order to this movement; that the assailants were to a certain extent an organized body, having drum and flag, marching under previously appointed commanders, and capable of dividing into two, and of advancing in two lines under separate captains, when it was so ordered; that occasionally in the course of the evening a sort of attempt to use military words of command, such as "order arms," "load," was made; and that the murder of certain persons who were murdered on that occasion was predetermined, was openly spoken of before the day of the occurrence amongst those engaged in the attack, and was boasted of afterwards by others so engaged. This evidence throws no light on the cause which may have led to the conspiracy, but it proves that the assailants proclaimed, upon making their attack, their object to be "war," that the war announced was a war of colour, and that they themselves understood, the day after the slaughter, that what they had undertaken was war.

9. All the prisoners under sentence in this case are proved to have been concerned in this crime.

10. In classifying these prisoners, I will first analyse the cases of those concerned who appear to me either to have been directly engaged in acts of murder, or to have been proved to have contemplated the very acts of murder committed, or other murders, or to have attempted to murder, or to have rejoiced over and boasted afterwards of the murders committed, or to have urged others on whilst the murderous attacks were proceeding.

No. 2. *Benjamin Bingling.*—This man is proved to have been at Stoney Gut on the 10th of October, when the leaders were organizing the attack on Morant Bay which was carried out next day, and when the constables were seized and sworn to join the insurrection, which was the first act of unlawful violence committed.(1) He was amongst the assailants at Morant Bay. He stated, immediately after the act of murder was committed, that he had killed Baron Ketelhodt, and subsequently he boasted of having done the deed.(2) I think it probable that this man's hand caused the death, and certain that he took a chief part in that murder.

No. 8. *John Gough.*—This man is proved to have been amongst the assailants, sharpening his cutlass, and announcing that on that day he would kill parson Herschell.(3) The Reverend Mr. Herschell was one of the gentlemen murdered.

No. 10. *Caroline Grant.*—This woman is proved to have been at Morant Bay carrying off the plunder from the police station,(4) and to have been there with a volunteer's sword in her hand,(5) (the volunteers having been overpowered, and having had several of their body killed), and there to have taunted the men with leaving the work to the women, and not doing as they had said at Stoney Gut that they would do;(6) also to have attacked James Bonner Barratt, and to have gone to his shop door to kill him, and to have commanded the men to kill him. This was whilst the killing was going on.(7)

No. 13. *William Grant.*—This man is proved to have been at Stoney Gut on the occasion above mentioned, apparently in the confidence of Paul Bogle, the leader of the

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(1) James Foster, p. 350.
(2) Thomas Gibson, p. 359; Catharine Rankin, p. 360; Alexander Bothwell, p. 360.
(3) Cecilia Gordon, p. 354; Ursula Fitz-Gerald, p. 355.
(4) John Dubuisson, p. 355.
(5) James Bonner Barratt, p. 356; Mary Anne Thomas, p. 356.
(6) Cecilia Gordon, p. 354.
(7) Jas. Bonner Barratt, p. 356.

movement, to have been called by other insurgents "Captain Grant;" and to have commanded and drilled them.(1) He is also proved to have been at Morant Bay on the occasion above mentioned, taking part in the plunder of the police station of arms.(2) It is also proved of him that on the same occasion he was sent for, by the title of "Captain Grant," by the murderous party who afterwards killed Mr. Price; after which some one came, and Mr. Price was killed.(3) Mr. Cooke's evidence, as given in another report of the trial, (4) should also be read. It goes to show that on Grant's joining the party some one asked Mr. Price the colour of his father and mother, and then gave orders to the party to kill him, because he, Mr. Price, being black, had joined the whites. It is proved that thereupon Mr. Price was immediately killed, and (though this may not be legal evidence against him) the circumstances leave me in no doubt that the person who asked him the question, and commanded his murder, was Grant.

No. 14. *Sarah Johnson.*—This woman is proved to have been at Stoney Gut on the above occasion,(5) and to have said next day, the 11th, before the attack, on the road between Stoney Gut and Morant Bay, that every mulatto was to be killed, as well as the whites.(6) She is also proved to have been at Morant Bay on the above occasion, and then and there to have taunted the men, as Caroline Grant did, and to have told them to go and destroy the gentlemen.(7) It will be seen from the other report of the trial that this woman said on the morning after the massacre, that if any of her daughters joined the whites they must be killed like the whites.(8) This was probably omitted in the Judge's notes, as not being evidence upon the issue; but it shows the prisoner's disposition.

No. 15. *Isaac Joseph.*—This man is proved to have been at Morant Bay on the above occasion, and then and there to have formed one of the murderous crowd around Inspector Alberga, when he, holding his son by the right hand, was crying "Mercy, my child." When Alberga was first struck his hat fell off, and he tried to run away. This prisoner is proved, after Alberga was then killed, to have come from the spot where Alberga was killed to the spot where his hat had fallen, and to have picked it up.(9)

No. 21. *William Osborn.*(10)—This man is proved to have been at Morant Bay on the above occasion, and to have boasted afterwards of the murders in the following words:—"We killed Walton, the Baron dead, another Cooke dead, Stephen Cooke dead, and "other gentlemen; the Inspector we just kill him;" and to have added, "I am going "back to the Bay, see my machet; those are not killed we'll finish them."

No. 22. *Peter O'Hagan.*—This man is proved to have been at Morant Bay on the above occasion, and on being prayed by Sarah Knowles not to kill her, to have told her not to call his name, or he would take her head off with his cutlass; and then to have said that he did not come to kill any women, but seeing all his colour on the parade (meaning apparently the blacks who had been shot), he was going to kill all the white people before he went away that night.(11) He also said if the witness was carrying any powder to the volunteers, he would cut off her head.

No. 23. *Nathaniel Richards.*—This man is proved to have been at Morant Bay on the above occasion, with a volunteer's rifle and pouch,(12) and then and there to have been with a party who made witness swear that he would fight for Queen and country, or else threatened to take off his head;(13) and then and there to have pursued Robert Milne, Mr. Cooke's servant, endeavouring to kill him, because he had carried powder to the volunteers.(14)

No. 24. *Daniel Stewart.*—This man is proved to have been at Morant Bay on the above occasion, with a musket over his shoulder. When a party of whites, having escaped from the burning houses, were hiding for their lives in a privy, he is proved to have discovered them there, and to have called out to his party, "There's a lot

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(1) Wm. Fuller, p. 350; Jas. Foster, p. 350; Alex. Bothwell, p. 350; Geo. Fuller Osborne, p. 351; Cecilia Gordon, p. 354.
(2) Geo. Fuller Osborne, p. 351; John Dubuisson, p. 355.
(3) Mr. Stephen Cooke, p. 353.
(4) See p. 438 of same book.
(5) Edward House, p. 351.
(6) Alex. Bothwell, p. 354.
(7) Cecilia Gordon, p. 354.
(8) See p. 440 of the same book, Cecilia Gordon; also, in partial corroboration, Ursula Fitz Gerald, p. 355.
(9) John Hilbury, p. 362.
(10) Sligo Campbell, p. 359; Romeo Drysdale, Eleanor Uniacke, John Codrington, Wm. Cuthbert, p. 361.
(11) Sarah Knowles, p. 363.
(12) William Cuthbert, p. 361.
(13) Sligo Campbell, p. 359.
(14) Cecilia Gordon, p. 354; Charles M. Robinson, p. 357; Robert Milne, p. 358.

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of buckras (whites) in here, shoot them." There it was that Mr. Hitchins was killed before the witness's face. This prisoner rifled witness, but spared his life, because he knew him to be a doctor.(1)

No. 25. *Alexander Taylor.*—This man is proved to have been at Morant Bay on the above occasion, and there to have been commanding the men when assailing the police Station, to do their duty,(2) and being armed with a long spike and a cutlass, to have thrust the spike at David Graham, a volunteer; also to have said that that fellow the Baron's head should be off that night;(3) also to have said of William Mitchell, a volunteer, when praying for his life, "Kill him, kill the whole of them," on which occasion another man saved Mitchell's life;(4) also to have been armed with a volunteer's rifle after the volunteers had been overpowered, and about sunset on that day to have said, "All the buckra (whites) and volunteer not one will be left to-night."

No. 29. *Robert Wilson.*—This man is proved to have had his clothes covered with blood the day after the massacre at Morant Bay, and to have boasted of having been there, saying, "We have killed gentlemen, a lot," naming amongst those they had killed Mr. Walton, the Baron, and Mr. Herschell; of these he said, "We killed them all;" also to have said that he had licked down a volunteer with his stick, and taken his rifle and cartouch box; also to have said that when the buckras (whites) were escaping into the privy he ran his sword right through one of them, and as he drew it out the blood spilt on him; after which, as he said, "We drag out the whole of them, and kill them all." He is also proved to have said that when they were drawing away the blacks from the burning house, they found one of Mr. Cooke's sons "awfully murdered, but not dead yet," when he, Wilson, called out, "Hollo! here is one of the fellows not dead yet;" and he is further proved to have said, that when Cooke was trying to drag himself from the heat of the fire, "We turned to and beat out his brains." This man is also proved to have said, when asked next day why he kept on his clothes, daubed as they were with blood, that he kept them on because when a man made up his mind to join a war, he must make it up truly.(5)

11. The above-named prisoners all stand sentenced to imprisonment for life; and I am bound to say that I think that several of them ought to have been put upon their trial on the capital charge. Taking the whole character of the affair into consideration, as proved by the evidence in the case, there is not one of them of whom it can be said, in my opinion, that imprisonment for life is an excessive punishment.

12. I come now to the cases of prisoners sentenced for life, in which, though armed insurrection is proved, specific murderous acts or decidedly murderous intentions are not proved.

No. 1. *H. T. Bogle.*—There is ample proof of this man having been, with his brothers, an active and leading insurgent on the above occasions, both at Stoney Gut and at Morant Bay. At this last place, armed with a volunteer's sword, he personally advanced against one witness.(6) But had this man, who certainly took a leading part, been really desirous to take life, I cannot but think that we should have had more evidence to particular acts of violence against him.

No. 16. *Alexander Murray.*(7)—This man is proved to have been at Morant Bay on the above occasion, having in his hand a volunteer rifle with a sword bayonet, when the Court House was burning; and to have threatened to take the life of Chevannes, if he caught him, because Chevannes had put him in prison about some logwood.

No. 20. *Ennis Napier.*—This man is proved to have been the head or captain of a gang of insurgents, and to have been a leading man on both occasions. He beat one witness with a good sized stick at Morant Bay, but he does not appear to have been of a murderous nature. He told one witness at Morant Bay that he was looking for Macpherson the coroner, not to kill him, but only to switch him. Though his clothes were bloody, after the attack, as proved by one witness, he accounted for the fact to that witness credibly.(8) The two last-mentioned prisoners are both sentenced

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(1) Mr. John Stoddert Gerard, pp. 353-4.
(2) Robert Evan Jones, p. 355.
(3) Richd. D. Meryink, p. 361.
(4) Willm. Mitchell, p. 363; Francis McKay, p. 363; Gilbert Lindsay, p. 363.
(5) George Reid, p. 363. See also George Robinson, p. 364, as to bloody clothes and boasting.
(6) Wm. Fuller, p. 350; Jas. Foster, p. 350; Alex. Bothwell, p. 350; Geo. Fuller Osborn, p. 351; Edwd. House, p. 351; Jas. Moore Ross, p 357; Margaret Taylor, p. 357; Charles Aug. Lipman, p. 357; Chas. M. Robinson, p. 357; Letitia Arma, p. 357.
(7) Jas. Beard, p. 352; Henry H. Williams, p. 362; Cecilia Gordon, p. 354; Mary Ann Thomas, p. 356.
(8) Edwd. House, p. 351; Joseph H. Williams, p. 353; Wm. Eccles Ward, p. 358; Sligo Campbell, p. 359; John Tobias Walker, p. 359.

to imprisonment for life. Their cases seem to me worthy of merciful consideration hereafter.

13. I hope it may be unobjectionable to commute hereafter the sentences of No. 16, Alexander Murray, and of No. 20, Ennis Napier, to one of seven years duration. The case of No. 1, H. T. Bogle, also sentenced for life, involves more serious considerations; but if ten years hence a good spirit prevails in this Island, I should hope that the extension then of the mercy of the Crown to this leading insurgent would have no bad consequences.

14. I proceed now to the cases of prisoners sentenced to imprisonment for terms of years.

No. 5. *Elizabeth Faulkner.*—This woman is proved to have been at Morant Bay on the above occasion, where she urged the men to take off "Old Bennett's" head, for having cheated her of half a yard of cloth out of six yards she had bought of him; and to having been beating at Bennett's door, and calling to the people to take out the buckra (white) and kill them. She is also proved to have been one of the women who filled their laps with stones. The assault on the volunteers at the Court House was commenced by a flight of stones,[1] apparently from the women on the flanks of the assailants.

No. 6. *James Failey.*—This man is proved to have been at Morant Bay with a stick and cutlass on the above occasion, and there and then to have been about to drive his spike at a witness who was saved by a woman.[2]

No. 7. *Rosanna Finlayson.*—This woman is proved to have been at Morant Bay on the above occasion, and there to have given orders to her own people to fetch a fire stick and some trash, and to set fire to the school-room, that the white people might be burnt alive. She left the spot, and five minutes afterwards the schoolroom was on fire.[3] It was firing the houses that proved fatal to the victims.

No. 19. *Nancy Murray.*—This woman is proved to have been at Morant Bay on the above occasion with a volunteer's cap on, and clothes covered with blood; to have said that they were coming back to-morrow, and would then catch a volunteer named Lipman, as, said she, they had not done yet; also to have said that they had killed all the buckras, but had saved Dr. Major, who would come to see the wounded. On being asked how many were killed, she said, "We killed the Baron and rolled him "down. The brains is dashed out. We kill Parson Herschell, we cut his neck; and "we killed Inspector Alberga, Mr. McCormack, and Mr. Hitchins, a captain of "volunteers, and Mr. Cooke's sons, and Mr. Walton; and Parson Cooke got away; "and Stephen Cooke escape, but if we could catch him, we would cut off his head."[4] This speech must have been made before those who were hiding had been discovered and killed.

No. 26. *Elizabeth Taylor.*—This woman is proved to have been at Morant Bay on the above occasion, with her clothes tied up, and a stick in her hands with which she beat a volunteer, abusing him for having joined the volunteers instead of joining them at Stoney Gut, as his mother was a black woman;[5] also to have said there that Parson Cooke was a bad man;[6] also to have regretted that Parson Cooke's head had not been taken off, saying that the beating[7] he had got was not enough.

15. The last-named five prisoners are sentenced to imprisonment for twenty years. I see no ground for any remission in these cases. They were murder-meaning insurgents.

No. 3. *Matthew Ford.*[8]
No. 9. *William Ford.*[9]
No. 11. *Robert Grant.*[10]
No. 12. *Thomas Graham.*[11]
No. 17. *Wm. Macgregor.*[12]
No. 18. *Henry Mitchell.*[13]

16. The last-mentioned six prisoners are all sentenced to imprisonment for twenty years. They are all proved to have been concerned at Morant Bay, and some of them also at Stoney Gut on the above occasions, but I do not find any aggravating circum-

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(1) Jas. Bonner Barratt, p. 356; Mary Anne Thomas, p. 356; Charlotte Carter, p. 360.
(2) Thomas Scott, p. 360; Romeo W. Drysdale, p. 360.
(3) Charlotte Carter, p. 360. See also the evidence as given in page 449.
(4) Jas. Bonner Barratt, p. 356; Mary Ann Thomas, p. 356.
(5) Caroline Milne, p. 358. (6) Anne Aitchson, p. 358. (7) Fable Taylor, p. 358.
(8) Caroline Milne, p. 358; Sligo Campbell, p. 359.
(9) Wm. Fuller, p. 350; Robt. Evan Jones, p. 355.
(10) Ursula Fitzgerald, pp. 354-5; John Dubuisson, p. 355.
(11) John Spence, p. 362. (12) Eliza Gregory, p. 362.
(13) Edwd. House, p. 351; Eliza Gregory, p. 362.

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stances proved against them. I should hope that seven years hence their sentences might be remitted unobjectionably.

No. 4. *Sampson Champney.*—This man is proved to have been concerned at Morant Bay in a reserve gang, and at Stoney Gut, on the above occasion.(1)

No. 27. *Anne Thompson.*—This woman is proved to have been concerned at Morant Bay on the above occasion, where she was one who came to a store from which she was seen handing out iron pots and cutlasses to the people outside.(2)

17. The two last-named persons are sentenced to imprisonment for ten years. In the absence of aggravating circumstances, I think their sentences might be remitted after seven years.

No. 28. *Alexander White.*—This man is proved to have been concerned at Morant Bay on the above occasion.(3) He was amongt those who released the prisoners from the gaol. He is sentenced to imprisonment for two years. It seems to me unnecessary to interfere with his sentence.

18. The principle on which I have based my recommendations is this:—not to interfere with the sentence of any of those who have shown a murderous mind, and to reduce the sentence of all others to seven years, except in the case of Bogle, who, being a leader, might have his sentence reduced to ten years.

19. I have shown Mr. Justice Kemble the above proposals, and he has been so obliging as to write me a letter, of which, with his permission, I give the following extract:—

"I have read the draft despatch, and, having done so, I do not feel it my duty to offer "any objection to your suggestion that the mercy of the Crown should be extended "to certain of the prisoners in the case of the Queen versus H. T. Bogle and others, "considering that your Excellency is of opinion, as I think most justly and judiciously, "that it would not be advisable in such case to announce any remission of punishment "for a long time to come, and then only if the state of feeling in the Colony recovers "its tone."

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c.

(Signed) J. P. GRANT.

No. 4.

No. 4.

COPY of a LETTER from Lieut.-General the Right Hon. Sir H. K. STORKS, G.C.B., to the Right Hon. the Earl of CARNARVON.

MY LORD, 127, Piccadilly, September 6, 1866.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 4th instant,* conveying to me the entire approbation of the Queen on the termination of my administration of the Government of Jamaica.

* Page 42.

I am deeply grateful for this mark of Her Majesty's goodness, and I shall devote myself with renewed zeal and energy to Her Majesty's service. I beg to offer to your Lordship my grateful acknowledgments and an expression of my great satisfaction at the terms in which your Lordship has conveyed to me the Queen's commands.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c.

(Signed) H. K. STORKS.

No. 5.

No. 5.

COPY of a DESPATCH from Governor Sir J. PETER GRANT K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 26.) King's House, October 23, 1866.

(Received, November 13, 1866.)

MY LORD, (Answered, No. 86, November 16, 1866, page 51.)

I HAVE the honour to transmit to your Lordship the enclosed memorial to the Queen from the congregation of Protestant Dissenters of Salter's Hill and Maldon, which has been sent to me for transmission by the Rev. Mr. W. Dendy, Baptist Missionary.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c.

(Signed) J. P. GRANT.

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(1) Wm. Padmore, p. 360; Alex. Bothwell, p. 350. (2) Letitia Arma, p. 357.
(3) Sligo Campbell, p. 359.

Enclosure in No. 5.

JAMAICA.

To the Queen's most Excellent Majesty.

Encl. in No. 5.

MAY IT PLEASE YOUR MAJESTY,

WE, the congregations of Protestant Dissenters meeting for Divine worship at Salter's Hill and Maldon, in the parish of Saint James, Jamaica, and being under the pastoral care of the Rev. Walter Dendy, Baptist missionary, beg leave to approach Your Majesty to express their profound thanks for the kind sympathy and care displayed towards the inhabitants of this Your island of Jamaica by sending out a Royal commission, of which Sir Henry Storks was president, to inquire into the deplorable outbreak in Saint Thomas-in-the-East, and its suppression; and for the recall of the late Governor, Mr. Eyre, under whose administration the sad events occurred; and for the appointment of the well tried and faithful servant of the Crown, Sir John Peter Grant, as Governor of this Island, to inaugurate new form of government; and also for the sending out to this Colony well qualified gentlemen to form a court-martial to try offences amenable to such a court, committed during the sad occurrences of October and November 1865.

Your Majesty may be assured of our devoted loyalty and firm attachment to Your Majesty's person and throne; and we feel under additional obligations of gratitude for Your Majesty's kind sympathy and aid in our time of trouble; and we assure Your Majesty that You will ever find in us, and we believe in the people of this Colony generally, respect and obedience to all constituted authority.

We further assure Your Majesty that we constantly pray that Your life may long be spared, that your reign over Your free and loyal subjects may be prosperous, as it has hitherto been, and that in all parts of Your Majesty's extensive dominions peace, happiness, and prosperity may be enjoyed, that education may advance, that religion may flourish, and that when God in His providence shall see fit to call upon You to lay down your earthly crown, that you may therein enjoy for ever the happiness reserved in Heaven for all the faithful servants of our Lord and Saviour Jesus Christ.

October 17th, 1866.

J. E. HENDERSON, Baptist Missionary, Chairman.

The above address was signed by the chairman on behalf and at the request of the meetings.

WALTER DENDY, Secretary.

No. 6.

No. 6.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 33.) King's House, October 24, 1866.

(Received, November 13, 1866.)

(Answered, No. 89, November 16, 1866, page 46.)

MY LORD,

I HAVE the honour to transmit to your Lordship herewith a correct newspaper report of the proceedings at the opening of the Circuit Court at Morant Bay on the 18th instant, from which your Lordship will learn that the Grand Jury, in direct opposition to the charge of the presiding Judge, ignored the bill against Gordon Duberry Ramsay, the late Provost Marshal during martial law, for the murder of George Marshall.

The Attorney General informs me that he had great difficulty in forming a Jury, and had to go over the panel of Jurors three times before he could get even fifteen as a Grand Jury, twelve at least being necessary to the finding a capital charge. The Jury ultimately obtained was composed of seven white men, seven colored men, and one black man.

The Attorney General is of opinion that no Grand Jury in the Island will find a true bill against Mr. Ramsay, and that any further proceedings here would be useless.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c.

(Signed) J. P. GRANT.

Extracted from the Jamaica Guardian of the 22nd October 1866.

Enclosure in No. 6.

Encl. in No. 6.

ST. THOMAS-YE-EAST CIRCUIT COURT.

The Circuit Court for the October Term opened on the 18th instant, presided over by the Honourable Justice Ker, the proceedings being carried on in the temporary court house.

The usual formalities having been gone through, the clerk of the peace proceeded to empanel a Grand Jury, when, after a good deal of difficulty in forming one, the following gentlemen were sworn:—

Samuel Shortridge, Esq., foreman.

Francis Bowen.	John R. Mowart.
Plato Elphick.	Wm. C. Greves.
Alex. Francis (black).	George Earle.
Henry Stewart.	Robt. H. Gray.
John Sinclair.	James Cresser.
Mathew Benjamin.	Jno. B. Brown.
James Harrison.	Andrew Marks, Esqrs.

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His Honor the presiding Judge then proceeded to deliver the following charge:

Gentlemen of the Grand Jury,

Among the cases about to be submitted to you is one of an altogether novel and extraordinary character. The case to which I allude is that of Regina versus Gordon Duberry Ramsay, in which the defendant is accused of the murder of a person named George Marshall, under the following circumstances. It is now matter of local, I may almost say general history, that on the 11th of October 1865, or little more than a year ago, a popular outbreak of a very formidable character occurred in this parish. On the 13th, under a statute which was passed in the year 1845, martial law was proclaimed; the effect of which was to place the entire disturbed district under the military power. How far this circumstance will affect, from a legal point of view, the complexion of the act presently to be mentioned, will be explained more fully before I conclude. To carry out this law a distinguished officer of the royal army was selected; who by an order dated shortly after the outbreak—at all events previously to the occurrence which forms the subject of this indictment—appointed Mr. Ramsay, then filling the post of inspector of police for the precinct of St. Catherine, provost marshal. It is material to observe that Colonel Nelson, the officer referred to, had perfect authority to make this appointment there can be little doubt. I may remark, in passing, that for the duties to which he was so nominated, Mr. Ramsay's qualifications were of a rare, almost unique kind; but with that consideration we have nothing to do at present But, acting in this capacity, on the 18th of October Mr. Ramsay conceived himself authorized to order Marshall to be flogged for some breach of military regulation, apparently for being abroad without a pass. Whether he was justified in this proceeding is irrelevant to the inquiry before us. For any bearing that it has upon this case, the deed may have been a necessary act, or a mere piece of lawless and wanton barbarity. What occurred, however, immediately afterwards, is of the utmost importance in connexion with the investigation upon which you are about to enter. It is stated that after the flogging, or more correctly after the 47th lash, 50 being the sentence or order, Marshall smarting from the pain, turned towards Ramsay, and ground his teeth. Ramsay, whether, as is urged in his defence, considering the conduct to savour of mutiny, and requiring therefore an exceptional display of vigour at his hands, the rather that the party of order was numerically weak, and that of disaffection or suspected of disaffection numerically strong; or, as is suggested on the behalf of the Crown, vindictively, cruelly, and in the mere wantonness of power, thereupon did the act for which he is now sought to be made responsible. He ordered Marshall to be hanged, who was hanged accordingly. The regular course would have been to have submitted to the award of a court-martial. Ramsay as provost marshal had no judicial, but only ministerial authority. But the charge is of so grave a nature that it will be expedient to give the statements of the witnesses in their own words.

The witness, James Beckett, says, "From the anguish of the flogging Marshall said, 'O Lord!' Mr. Ramsay said, 'Sedition! take him down, and hang him.'" The deponent Augustus Lake states, "Marshall did not receive the whole of his sentence. At the receipt of the 47th or 48th lash—for I counted them—I observed a large quantity of blood flowing from his back. He immediately turned round and ground his teeth. He said nothing, but groaned. I was standing within a yard or two of the end of the cat, just out of reach of the round of the swing, and I must have heard whatever was said by Marshall. The provost marshal said, 'Take that man down and hang him.' Those are the substance of the words as near as I can remember." And lastly the deponent Gentle: "I saw Marshall get 47 lashes. At the 47th Ramsay ordered him to be taken down. He said that Marshall ground his teeth. I did not see Marshal do anything. Mr. Ramsay said, 'Take him and hang him." I could hear everything that he said." Such, gentlemen of the Grand Jury, are the statements of the witnesses. And the question therefore is, is this murder? I need scarcely observe to gentlemen serving in your present capacity that the fact of the immediate actors in the homicide being other than Mr. Ramsay himself makes no difference in the case if he gave the fatal order.

Now, with reference to this the material question in the case, I have to observe that all homicide is murder, unless there is some justification or excuse for it. The single inquiry, therefore, is, was there such in the present instance? That will depend upon circumstances which I now proceed to consider. No doubt whatever can exist that had the ordinary law of the land been supreme at the time of this melancholy, even if justifiable transaction, this would have been murder, and murder of the purest type. It would have been murder, because Marshall had not been sentenced to die by the judgment of a competent tribunal. Does the prevalence of martial law then—of the temporary suspension and setting aside of the ordinary law—make any difference? Undoubtedly it does. The object of martial law being the suspension of insurrection and the restoration of law and order, whatever is necessary towards the attainment of that end is permitted, even to the destruction of human life. Martial law is the recurrence to physical force for the bringing about of a result beyond the scope and capabilities of the ordinary law. The ordinary law requiring, as one of its distinguishing peculiarities, a certain amount of delay and compliance with certain forms. Unless these were for the time dispensed with, revolt would gain head, and eventually perhaps triumph. It is requisite, therefore, that it should be temporarily suspended. Acts accordingly which in other circumstances would be unlawful, are now held justified by the special exigency of the case. Cases are judged rather by their own peculiar circumstances than by reference to more than a few great leading rules and principles. Nor will the law scrutinize too minutely particular acts, if only, without violating any of the above-mentioned rules and principles, they forwarded or tended to forward the great end of martial law, the suppression of armed outbreaks. This is not the place to discuss such a question; but it is manifest, in the interest of those under its care, that every government, whatever its form may be, must possess the power of resorting to force in the last extremity. The want of such a power would place the very existence of the State at the mercy of organised conspiracy. The public safety, therefore, which is the ultimate law, confides to the supreme authority in every country the power to declare when the emergency has arisen. But martial law—and I desire to draw your particular attention to what I am going to observe— although, as I have stated, it dispenses with the forms and delays which appertain to the ordinary criminal jurisprudence, does not therefore authorise or sanction every deed assumed to be done in its name. It stops far short of that. For, if it did not, lawless men, under colour, and putting forward the pretence of authority,

might commit acts abhorrent to every principle of humanity. They might gratify malice and revenge, hatred and ill will, lust and rapacity. They might perpetrate deeds from which the sun would hide his face. No greater error exists than to suppose that the subjecting of a district to the military power authorises excess on the part of those who administer that power. Deeply is it therefore in the interest of the public welfare, and in the interest of humanity, that it should be clearly understood what martial law sanctions, and what it does not. It allows, in one word, everything that is necessary towards putting down actual resistance to lawful authority. But this is not the only restraint which it imposes upon those who have the carrying of it out. It further requires that the acts of its ministers should be honest and bonâ fide. They must be done in good faith, or they will be disavowed—And, as a still further requisition, it fastens as a condition upon its agents that their acts shall be adjudged to be necessary in the judgment, not of a violent or excited, but of a moderate and reasonable man. Reason and common sense must approve the particular act. It is not sufficient that the party should unaffectedly believe such and such a line of conduct to be called for; the belief must be reasonably entertained, and such as a person of ordinary understanding would not repudiate. If these conditions are not fulfilled the act becomes simply unlawful, with all the consequences attaching to illegality. The moment that it ceases to be necessary for the suppression of armed revolt, that moment it loses its legal character. It then takes rank with those acts to which the privilege and protection of martial law are not extended. The vindictive passions are prohibited their exercise as absolutely and preremptorily during military rule as in the most orderly and tranquil condition of human affairs. Excess and wantonness, cruelty and unscrupulous contempt for human life, meet with no sanction from martial any more than from ordinary law. No amount of personal provocation will justify or excuse vindictive retaliation. Were it otherwise, an institution which, though stern, is yet beneficial, would degenerate into an instrument of mere private malice and revenge. Such, gentlemen of the Grand Jury, is the law applicable to the case which has furnished the subject matter of these observations. It is right, however, that I should allude to another matter.

You are probably aware that after the suppression of the outbreak, upon the meeting of the legislative bodies in November, an Act was passed indemnifying all who were concerned in putting down the insurrection. By that Act, after reciting that military, naval, or civil authorities necessarily engaged in the prompt suppression of the atrocities therein referred to might, according to the law of ordinary peace, be responsible in person or purse for acts done in good faith for the purpose of restoring public peace and quelling the rebellion, and that it was expedient that all persons whatsoever who, in good faith and of loyal resolve, had acted for the crushing of this rebellious outbreak, should be indemnified and kept harmless for such their acts of loyalty, it is enacted by the first section—

"All personal actions and suits, indictments, informations, prosecutions, and proceedings, present or future, whatsoever, against such authorities or officers, civil, military, or naval, or other persons acting as last aforesaid, for or by reason of any matter or thing committed, ordered, directed, or done since the promulgation and publication of the proclamation of martial law, that is to say, from the 13th of October 1865, and during the continuance of such martial law, in order to suppress the insurrection and rebellion, and for the preservation of the public peace throughout the island, shall be discharged and made void; and every person by whom such act, matter, or thing shall have been advised, commanded, ordered, directed, or done for the purpose aforesaid shall be freed, acquitted, discharged, and indemnified as well against the Queen's most Excellent Majesty as against all and every person and persons whomsoever."

And by the second:—

"The Governor, Mr. Eyre, and all officers and other persons who have acted under his authority, or have acted bonâ fide for the purposes and during the time aforesaid, are hereby indemnified in respect of all acts, matters, and things done in order to put an end to the rebellion; and all such acts so done are hereby made and declared to be lawful, and are confirmed."

But upon these clauses you will naturally desire to be informed how far they affect the exposition of the law with which I have just entertained you. I am called upon, therefore, to instruct you that they will not in any way interfere with that exposition. Indemnity Acts can only be pleaded in a court of justice by those who have fulfilled the conditions to which I made reference in an earlier part of this address.

The question, therefore, for your consideration upon the whole matter will be, has the crown, upon the evidence which will be laid before you, established such a primâ facie case against the defendant as to render it proper that this case should be remitted for the fuller inquiry which it necessarily receives at the hands of a Petty Jury? Upon this subject, I owe it to the administration of justice to remark that you ought not to have a doubt. If these witnesses speak the truth, they have told a tale which no system of criminal jurisprudence but is under a positive obligation to investigate. I need scarcely observe that, by finding a true bill, you do not pronounce the defendant guilty, but merely call upon him to say what he has to urge by way of defence or explanation.

With regard to the remaining cases, there are five aggravated assaults, Regina vs. Christopher Codrington, Regina vs. Christopher Codrington, Regina vs. James Codrington, and Regina vs. John Woodrow, in which the defendants are severally accused of excesses during martial law—of flogging in fact women, without authority, for real or supposed delinquencies. I will no further allude to these cases than to observe that, as in the other case, you will probably see your duty to return true bills.

Five indictments for larceny, and one for burglary and larceny, require no particular notice at my hands. You will therefore, if you please, gentlemen of the Grand Jury, now retire to the room prepared for you, whither the several bills will in due course follow you.

The Grand Jury then retired. At the suggestion of his honor the Attorney General they were recalled, and informed by his honor the Judge that twelve of them at least must concur in the finding of a true bill. The Grand Jury again retired.

His honor the Attorney General called the attention of the Court to the fact, one of the witnesses in

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the case of Regina vs. Ramsay (Mr. Henry Ford) having left the island, he was consequently not available.

His honor the Judge was not aware of the fact, but sent Mr. Ford's deposition to the Grand Jury.

Bills were then sent into them, among them one against Gordon Duberry Ramsay. About three quarters of an hour after, the Clerk of the Court announced, in the case Regina vs. Ramsay, "No bill."

His honor the Judge enquired of Her Majesty's Attorney General, whether any other charge would be preferred against Mr. Ramsay; to which which the Attorney General replied that there would *not* be any.

His honor the Judge then said, "Discharge Mr. Ramsay;" whereupon Mr. Ramsay was immediately discharged, and left the Court with numerous friends.

True bills were proclaimed against James Barclay and Thomas Brown, for larceny of money and clothing.

A Petty Jury was then formed, consisting of the following gentlemen:—

Mr. Henry McKay (foreman), Messrs. Alfred Alveranga, Euenson, Mitchell, Haliburton, F. McKay, and J. J. Napier.

James Barclay and Thomas Brown were then arraigned, and pleaded Not guilty. Whilst this was being heard, the Clerk of the Court proclaimed in the case of the Queen vs. John Woodrow, "No bill."

The Petty Jury, without retiring, found James Barclay and Thomas Brown *guilty* of the larceny; whereupon his honor the Judge sentenced them respectively to three and two years penal servitude. His honor remarked that he hoped soon to have it in his power to inflict another punishment, viz., a sound flogging.

The same prisoners were again arraigned on another indictment charging them with larceny and receiving. Both pleaded Not guilty.

The Court was then adjourned to 10 o'clock the following morning, the 19th.

Mr. Gordon D. Ramsay, shortly after he was discharged left for Kingston by the road, he having gone up in Her Majesty's ship "Baracouta." As Mr. Ramsay drove through the town, he was warmly cheered by his friends and the populace assembled; thus showing that the discharge he had received was very gratifying to their feelings. Many of the humbler classes expressing themselves as pleased with the termination of a prosecution that has gone from court to court for so long a period. Many and very many of the well-to-do of the parish congratulated Mr. Ramsay on his discharge, and their good wishes seemed to be shared in by their less affluent brothers.

October 19, 1866.

The Court met this morning at the appointed hour. The morning was bleaky and excessively wet, but his honor the Judge took his seat. From the very unsettled state of the weather on the Bay, and the flooding of the rivers in the eastern district of the parish, it was impossible for witnesses to attend the Court.

His honor the presiding Judge expressed his regret that the proceedings of the Court should be brought so prematurely to an end, but that under the existing circumstances he could observe no other course than binding over the witnesses who might be present, and closing the Court.

The witnesses were accordingly bound over, and the Court adjourned to next term.

No. 7.

No. 7.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 34.) King's House, October 24, 1866.

(Received, November 13, 1866.)

MY LORD, (Answered, No. 90, November 16, 1866, page 47.)

I HAVE the honour to acknowledge the receipt of your Lordship's despatches, Nos. 48* and 55*, of the 12th and 28th of September, relative to the proceedings to be taken against civilians charged with grave offences in the suppression of the disturbances.

* Pages 42–3.

2. I had anticipated the wishes expressed by your Lordship in your Lordship's despatch No. 48. The Attorney General, by my directions, had sent an agent to Saint Thomas-in-the-East, to seek out, on the spot, the witnesses who had given evidence before the Royal Commissioners as to such grave offences, and to obtain their depositions, with a view to the prosecution of the offenders. I have not yet received the agent's report. I hope to be able to send it to your Lordship, with copies of the depositions, by next mail; but I am informed by the Attorney General that several cases of cruel or unauthorized flogging were made out, which he deemed proper subjects for public prosecution. Bills were accordingly presented to the Grand Jury at the Circuit Court at Morant Bay on the 18th instant; but, as your Lordship will learn from the report of the proceedings transmitted in my despatch of this date respecting Mr. Gordon Ramsay, the Grand Jury ignored the bill in one case, that of John Woodrow, for the unwarrantable flogging of certain women; and the other cases were adjourned in consequence of the inability of the Crown witnesses to attend, owing to the rains.

3. I understand from the Attorney General that the case of Woodrow, in which

the jury ignored the bill, was one of the best supported of the flogging cases, and he was confident of a verdict could he have got it to a Petty Jury. Jamaica.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c. (Signed) J. P. GRANT.

No. 8. No. 8.

Copy of a DESPATCH from Governor Sir J. Peter Grant, K.C.B., to the Right Hon. the Earl of Carnarvon.

(No. 42.) King's House, November 8, 1866.

My Lord, (Received December 3, 1866.)

With reference to my despatches, Nos. 33 and 34* of the 24th October, I have the honour to transmit to your Lordship a copy of a letter from the Attorney General enclosing a copy of the depositions taken before the Justices of St. Catherine's Precinct, in the case of G. D. Ramsay, of the indictment for murder submitted to the grand Jury of Saint Thomas-in-the-East, and a short abstract of the flogging cases. * Pages 11–14

2. I have not received in time for this mail the reports which I promised in my despatch No. 34 to furnish your Lordship from the agent who was employed to prepare these cases.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c. (Signed) J. P. GRANT.

Enclosure No. 8.

The Attorney General to the Colonial Secretary. Encl. in No. 8.

Sir, Spanish Town, October 24, 1866.

I have the honour to enclose a copy of the depositions taken before the justices of St. Catherine's Precinct, in Ramsay's (G. D.) case, of the indictment for murder, submitted to the grand jury of St. Thomas-in-the-East on that case, and a short abstract of the flogging cases. The full depositions in these last are with the clerk of the peace of St. Thomas-in-the-East.

I made a short report of the doings at the late Morant Bay Court, and delivered it to his Excellency the Governor yesterday.

I have, &c.

The Hon. H. T. Irving, Colonial Secretary. (Signed) Alexander Heslop, Attorney General.

Jamaica, Ss.
Parish of St. Catherine.

The information and complaint of Augustus Walter Hewitt Lake of the city and parish of Kingston, gentleman, taken this 20th day of February in the year of our Lord 1866, before the undersigned, one of Her Majesty's justices of the peace in and for the said city and parish of Kingston, who saith that on the 18th day of October in the year of our Lord 1865 one Gordon Duberry Ramsay, of the parish of Saint Catharine, in the county of Middlesex and island aforesaid, late inspector of police at Morant Bay in the parish of St. Thomas-in-the-East and island, did feloniously, wilfully, and of his malice aforethought kill and murder one George Marshall, against the peace of our Lady the Queen, her crown and and* dignity. And informant further saith that the said Gordon Duberry Ramsay is at present residing in the parish of Saint Catherine and is not in custody. * Sic.

(Signed) Augustus Walter Hewitt Lake.

Sworn before me, the day and year first above-mentioned, at St. Iago de la Vega in the parish of St. Catherine.

(Signed) Robert Russell, J.P.

Jamaica, Ss.
Parish of St. Catherine. } To the Constable of the Parish of Saint Catherine and to all other Peace Officers in the said Parish.

Whereas Gordon Duberry Ramsay, of the parish of Saint Catherine in the county of Middlesex and island aforesaid, late inspector of police, has this day been charged upon oath before the undersigned one of Her Majesty's justices of the peace in and for the said parish of Saint Catherine, for that on the 18th day of October in the year of our Lord 1865, at the parish of Saint Thomas-in-the-East and island aforesaid, did feloniously, wilfully, and of his malice aforethought kill and murder one George Marshall, against the peace of our Lady the Queen, her crown and dignity. These are, therefore, to command you in Her Majesty's name forthwith to apprehend the said Gordon Duberry Ramsay and to bring

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him before me or some other of Her Majesty's justices of the peace in and the said parish to answer unto the said charge, and to be further dealt with according to law.

Given under my hand this 20th day of February in the year of our Lord 1866, at Spanish Town in the parish aforesaid.

(Signed) ROBERT RUSSELL, J.P.

Jamaica, Ss.
Precinct of St. Catherine. } The Queen against Gordon Duberry Ramsay.

The examination of James Beckett of the parish of Saint Thomas-in-the-East, captain of the cutter "Friendship" taken on oath this 6th day of March, in the year of Lord 1866, at the parish of Saint Catherine, before the undersigned ten of Her Majesty's justices of the peace in and for the said precinct, in the presence and hearing of Gordon Duberry Ramsay, who is charged this day before us for that he, the said Gordon Duberry Ramsay, on the 18th day of October in the year of our Lord 1865, at the said parish of Saint Thomas-in-the-East in the county of Surry, feloniously, wilfully, and of his malice aforethought, did kill and murder one George Marshall against the peace of our Lady the Queen, her crown and dignity.

This deponent, James Beckett, upon his oath, saith as follows:

I am captain of the "Friendship." I was present at Morant Bay from the 13th of October to the 31st of October 1865. I was present when a man named Marshall was flogged; he was a brown man. This was on the 18th of October. He was to get 50 lashes; he received 47 in my presence, Mr. Marshalleck, a justice of the peace of Saint Thomas-in-the-East, and Mr. Ford, I mean Mr. Henry Ford. I think, from the anguish of the flogging, he said, "Oh Lord!" Mr. Ramsay said, "Sedition! take him down and hang him;" he was taken down from the gun carriage to the place of execution; he was tripped up, thrown on the ground, he was tied on the ground, he was raised up, the rope was thrown round his neck and the end thrown over the rail of the steps of the Court House, and a man who was standing on the steps of the Court House haul'd the rope and drew up the man until he was high enough hoisted off the ground, and the man who was on the steps hauling up the man Marshall said "High enough," and some one said "Make fast." It was a soldier. I do not know him. Mr. Ramsay was present. The man who put the rope round Marshall's neck gave him a stretch by the legs, and that not being satisfactory the same man took a large stone and put it between the arms and back of Marshall to give him weight. A little while after there was a little rain, and I and Mr. Marshalleck went into the camp. I saw the man Marshall dead; his body remained there till next morning, when it was cut down and the body buried at the fort, and Mr. Ramsay was present all the time.

Cross-examined by Mr. Williams.—I was never taken up as a rebel. I am sure no charge was ever brought against me. I am a loyal subject. I live at Morant Bay, Saint Thomas-in-the-East. There is a large open space in front of the Court House that is called the market square. It was in the morning between 8 and 10 o'clock, it was a Monday the 16th of October. I am sure it was on a Monday, I have no doubt about it. I went to the parade to satisfy my own curiosity. There were other black people there. I cannot say the precise number. I do not know what office Mr. Ramsay held. He was inspector of police. I heard he was provost marshal before this occurred. The head-quarters were somewhere about Port Antonio at this time. I do not know who was in charge at this time at Morant Bay. I saw an officer there, Mr. Jones. I did not see Mr. Jones there that day. I heard Mr. Ramsay giving orders that day. Mr. Ramsay must have been in charge that Monday when he gave his orders. I do not know what offence Marshall had been brought there. I did not hear him say "God bless Paul Bogle." He used the expression "Oh Lord!" in a low tone of voice, fainting as it were. I was as far from the man Marshall as I am from the rail (*here the witness pointed to a rail*); his back was turned to me; Mr. Ford and Mr. Marshalleck were present, and several others; Mr. Ford was near enough to me, as far as the rail (*here witness pointed to another rail*). Ford was further off from Marshall than I was, but at the back of him. At a time like that a man could not take notice of that exactly. I cannot tell you how many soldiers were there, but there were not many. There were no sailors there. I won't swear there was not; it was a soldier who obeyed these orders. I never saw Marshall's face till he sung out; he was a meagre little bit of fellow.

Re-examined by Mr. Payne.—I was near enough to hear what the man Marshall had said. I did not hear him say "God bless Paul Bogle," and I must have heard him say so if he said it. I was near enough to hear all he said. My attention was so taken up with this man that I did not observe any body else but Mr. Ford and Mr. Marshalleck.

(Signed) JAMES BECKETT.

The above deposition of James Beckett was taken and sworn before us at Spanish Town in the parish of Saint Catherine, on the 6th day of March 1866.

(Signed) Joseph Reid, J.P.; Robert Russell; Wm. Kemble; P. A. Espeut; John C. Land; Alex. Jno. Dempster, J.P.; L. E. Sinclair, J.P.; Thos. Manners, J.P.; Alexander Alexander, J.P.; Richard Cowan, J.P.

Remanded to Friday, the 9th day of March 1866, at 11 o'clock.

(Signed) Joseph Reid, J.P.; Robert Russell, J.P.; Wm. Kemble, J.P.; P. A. Espeut, J.P.; Thos. Manners, J.P.; Alexander Alexander, J.P.; Richard Cowan, J.P.; John C. Land, J.P.; L. E. Sinclair, J.P.

The following justices agree to the bail of Gordon Duberry Ramsay being extended to Friday next, the 9th inst., in the sum of 400*l.* and two sureties in 200*l.* each.

(Signed) Joseph Reid, J.P.; P. A. Espeut, J.P.; Wm. Kemble, J.P.; Alexander Alexander, J.P.; Alex. Jno. Dempster, J.P.; Jno. C. Land, J.P.; Thos. Manners, J.P.; L. E. Sinclair, J.P.

6th March, 1866.

Jamaica Sessions,
Precinct of St. Catherine. } The Queen against Gordon Duberry Ramsay.

The examination of Henry Ford, of the city and parish of Kingston, merchant, and of Augustus Walter Hewitt Lake, of the same place, gentleman, and Edwin Gentle, of the parish of Saint Catherine, bricklayer, taken on oath on the 9th day of March, in the year of our Lord 1866, at the said parish of St. Catherine, before the undersigned eight of Her Majesty's Justices of the Peace in and for the said precinct, in the presence and hearing of Gordon Duberry Ramsay, who is charged this day before us for that he, the said Gordon Duberry Ramsay, on the 18th day of October, in the year of our Lord 1865, at the said parish of St. Thomas-in-the-East, in the county of Surry, feloniously, wilfully, and of his malice aforethought, did kill and murder one George Marshall, against the peace of our Lady the Queen, her crown and dignity.

This deponent, Henry Ford, upon his oath, saith as follows:—

I am a merchant of Kingston, and also of Saint Thomas-in-the-East; I was captain of the irregular volunteers in Saint Thomas-in-the-East under Brigadier-General Nelson. I was present in Morant Bay prior to my taking command of the irregular volunteers. I saw a man tied to the wheel of a gun and flogged; he was a fair-coloured young man, a Quadroon; I judged him to be so; I saw him tied to the wheel of a gun and flogged; the gun was in the parade at Morant Bay, in front of the Court House. I don't recollect the day of the week; it was either Wednesday or Thursday, the 18th or 19th of October. I don't know how many sailors flogged him, but they relieved each other after each dozen. I did not keep any account of the number of lashes he got; he did not receive the whole number of lashes that he was sentenced to. The sentence was a verbal sentence; I was not sure of the number; they were sentenced in batches, some to 39, some to 50. I know the flogging was not completed, because there was a stop put to it by the Provost Marshal Ramsay. Before he put a stop to it the man was looking over his right shoulder; he looked at the cat coming; he did nothing, and said nothing. Provost Marshal Ramsay said: "You scowl at me, you damn'd villain," or scoundrel or brute, I am sure which of the three; "Take him down and hang him." This was said to the sailors who were flogging him. He was immediately taken from the gun to the arch of the Court House steps, and immediately hanged, being hoisted from the ground by his neck. I saw him dead; the prisoner never spoke; but I heard his name afterwards. Several gentlemen, as well as a mixed crowd, were present at the flogging. I can't be sure who were present; can't say if Mr. Marshalleck was present; did not take notice of Beckett. I was about two yards from the man who was flogged; I was just without the range of the swing of the cat. I was not on duty, I was a mere spectator. I was in Kingston when the riot broke out.

By Mr. Espeut.—Martial law had been proclaimed; the accused was provost marshal. I believe Colonel Hutchings was in command. Colonel Hutchings was not present at the execution, he was in charge of the post office, and I reported the circumstances to him; he took no steps that I know of. I saw several other executions; I don't know who ordered them. The company under my charge shot a man; I ordered it, after having received an order from a superior officer. I know that provost marshal ordered him to be executed. For the scowl, he stated the reason. It was in an open place; the others were executed in a formal manner. Mr. Ramsay gave the orders to flog the people. I can't say whether the man had been tried by the court martial. I don't know who ordered the execution of the others.

Cross-examined by Mr. Williams.—I held no commission. I was not there in a military capacity. I held no commission neither subsequent or previous. I was appointed captain by Brigadier Nelson. At the time there were about 200 people present, including everybody. Very few of the lower orders were present as spectators. I am sure, if any, the prisoners present belonged to the lower orders. I have no idea how many prisoners were there. I am not aware if any of my troop were present. I was at the back of the man. Mr. Ramsay never had occasion to reprimand me, or to represent my conduct with respect to political prisoners; I have never heard that he reported my conduct to the general.

(Signed) HENRY FORD.

(Signed) Joseph Reid, J.P.; Wm. Kemble, J.P.; P. A. Espeut, J.P.; John C. Land, J.P.; Thos. Manners, J.P.; Alex. Jno. Dempster, J.P.; L. C. Sinclair, J.P.; Alexander Alexander, J.P.

This deponent, Augustus Walter Hewitt Lake, upon his oath, saith as follows:—

I was at Morant Bay during martial law. I swore to the information in this case, and I am the nominal prosecutor. I swore to an information. I knew George Marshall; I saw him flogged; it was the 18th October; I can't charge my memory as to the day. He was ordered to receive 50 lashes together with many others of a batch of people ordered to be flogged. He did not receive the whole of his sentence. The charge was having been found upon the road without a pass, not in conformity with the orders issued by the provost marshal, and was sentenced to be flogged by order of the provost marshal; he received 50 lashes. He was a brown man, about my complexion, perhaps a little darker; he was a small man. He did not receive the whole of his sentence. At the receipt of the 47th or 48th lash, I counted them, I am not quite sure (which), I observed a large quantity of blood flowing from his back, he immediately turned round, grind his teeth; he said nothing, but groaned. I was standing within a yard or two of the end of the cat, close by Mr. Ford, just out of reach of the round of the swing, and I must have heard what was said by Marshall. The provost marshal said "Take that man down and hang him," those are the substance of the words, as near as I can remember. He was, in consequence, immediately taken down by some sailors; he was flogged by sailors; they each gave him 12. The sailors took him down, and dragged him along the ground to the arch of the burnt Court House, towards the sea. He was tied while on the ground, the rope thrown over the iron rail, and he was hoisted up, and I saw him dead. Mr. Ramsay was there all the time. There was a huge white stone placed between his arms and back, his arms being tied behind him. The man was not tried by a court martial, simply one of those cases adjudicated upon by the provost marshal. I attended every court

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martial to that time; I did not see brought in, I saw him at the station; I heard the provost marshal order him to receive 50 lashes.

Cross-examined by Mr. Williams.—I heard the charge after he was brought in. I heard the provost marshal say he was to receive 50 lashes for having no pass. There was an order that persons should have passes. I had one, and the order was stuck up at every corner of the Bay. Between the time of this occurrence and the laying by me of this information, I had been examined by the Royal Commission as a witness by the Commissioners. I was reporter at one time to the Colonial Standard; I was so on the 18th October. I went down in the same steamer with Mr. Ramsay, the "Caravelle," and returned on the 2nd or 3rd of November. I made reports to the Colonial Standard of occurrences at Morant Bay, and I reported Mr. Ramsay was the right man in the right place. He did act as provost marshal. I do not know if my reports were published correctly in the Standard; to the best of my belief, I have read one or two of them. The whole of my first report was not published. I never made any complaint to my employer that I had not been properly represented, because I had not read all the despatches printed. I left the Standard office on the 2nd of January. I went before the Royal Commissioners on Monday the 11th February. The Commissioners never expressed any complaint to me of my reports. I was asked to reconcile the difference of present and past opinions expressed in my reports. There exists a difference in these opinions most unquestionably On my return from Morant Bay, I went to see Mr. Levy at the Standard office. I did not express my admiration of the conduct of Mr. Ramsay as provost marshal. Mr. Levy did not ask me what induced Ramsay to hang Marshall after flogging him, and I did not reply: "Hang him, sir, he was quite right; had he not have done so his life would not have been worth a moment's purchase among the people." It is a gross fabrication. I did not say "You cannot conceive the look of defiance Marshall gave Ramsay" to Mr. George Levy. I had no conversation with Mr. Levy on my return from Morant Bay, nor at any other time on the subject of Marshall's execution. I saw him at the corner of Duke and Stanton Streets; neither there or anywhere else, and never in my life did I use such language to him. I knew Mr. George Young, the Gleaner reporter, slightly; he was at Morant Bay in October. I do not know if he was there on the 18th October; I can't remember; I think he had left. I do not remember seeing him on the parade the day Marshall was hung. He did not inquire of me the cause for which Marshall was about to be hung. I did not then tell him that Marshall had threatened Ramsay's life; I never had any conversation with him in my life on that subject. I was desired by Mr. Levy in writing not to have any communication with Mr. Young. The Commissioners did not ask me at the time on my examination whether I had not written untruths knowing them to be untruths. The Commissioners asked me, "You mean you wrote what was untrue." I replied, "I mean to say that if I did write in that strain it was on account of the position in which I was placed."

Cross-examined by Mr. Espeut, one of the justices.—I can't tell how many courts martial previous to this execution; there were some. I was present at many courts martial, but I cannot tell how many. I won't speak positively without having my notes to refresh me. I saw floggings administered at several places, and executions under the bamboo gallows, but I can't recollect without my notes.

By Mr. Payne.—I attended every court martial up to the 26th or 27th of October, when I took sick.

By Mr. Espeut, one of the justices.—I do not recollect how many courts martial or executions previous to the 18th October.

(Signed) A. W. H. LAKE.

(Signed) Joseph Reid, J.P.; Wm. Kemble, J.P.; P. A. Espeut, J.P.; John C. Land, J.P.; Thos. Manners, J.P.; Alex. Jno. Dempster, J.P.; Alex. Alexander, J.P.; L. E. Sinclair, J.P.

This deponent, Edwin Gentle, upon his oath, saith as follows:—

I am a bricklayer. I was at Morant Bay during martial law. I saw a man named George Marshall there; I had not known him before; I saw him flogged. It was on Wednesday, the first Wednesday after the rebellion. I do not recollect the date. I saw him get 47 lashes; on the 47th lash Mr. Ramsay ordered him to be taken down; he said that Marshall grind his teeth. I was towards the east part of the parade. I was as far off from him as from here to the door, (*the witness pointed to the door of the Court House from the place he stood,*) and said it was about 40 feet. I did not see Marshall do anything or say anything. Mr. Ramsay said "Take him and hang him." I could have heard anything that Marshall said. He was taken down by the sailors, and he was hung over the arch by the sailors. I did not see any stone put behind his arms. I saw him there hanging the next day. The provost marshal was there all the time. Marshall was flogged, I think, by two sailors.

Cross-examined by Mr. Williams.—There is an action against Mr. Ramsay for flogging me during martial law, at my instance, now pending. I was flogged during martial law, but after Marshall was executed.

Re-examined by Mr. Payne.—There has been an order for me to find security for costs in this action, so my solicitor informs me, and I have been able to do so, and the case is to be litigated by affidavit.

By Mr. Espeut, a justice.—I was flogged for doing nothing. I was charged with having my hat on at the police station by Mr. Ramsay. I had a pass from Mr. Ramsay. That was the only charge against me, for which I was sent to prison. I had 24 lashes. The charge was for having my hat on in the presence of the provost marshal. I was a volunteer when I was flogged. I was flogged three weeks after Marshall was flogged and hanged.

(Signed) EDWIN GENTLE.

The above depositions of Henry Ford, Augustus Walter Hewitt Lake, and Edwin Gentle were severally taken and sworn before us at Spanish Town in the parish of St. Catherine, on the 9th day of March 1866.

(Signed) Joseph Reid, J.P.; Wm. Kemble, J.P.; P. A. Espeut, J.P.; John C. Land, J.P.; Thos. Manners, J.P.; Alex. Jno. Dempster, J.P.; L. E. Sinclair, J.P.; Alexander Alexander, J.P.

Mr. Payne stated to the justices that the evidence adduced and taken before the magistrates was all the evidence he had then to adduce before them, but that he had other witnesses to adduce who were not present, but at Morant Bay in the parish of Saint Thomas-in-the-East. They would speak to similar facts adduced here before the justices this day and on Tuesday last.

Mr. Williams addressed the justices on behalf of the accused, and called upon them to dismiss the charge then before them.

Mr. Payne addressed the justices on behalf of the prosecution.

The justices consulted together. First as to discharging the accused as to the information now under inquiry.

For discharging.	Against discharging.
Mr. Espeut	Mr. Alexander
Mr. Dempster	Mr. Reid
Mr. Manners	Mr. Kemble 3.
Mr. Land	
Mr. Sinclair 5.	

Accused discharged accordingly.

The following justices protest against discharging the accused Gordon Duberry Ramsay, and are of opinion that the accused ought to be committed for trial:—

Joseph Reid, J.P., Wm. Kemble, J.P., Alexander Alexander, J.P.

9th March, 1866.

Jamaica Sessions. } To the Constables of Saint Catherine and to all other Peace Officers in the
Precinct of St. Catherine. } said Precinct of Saint Catherine.

Whereas Gordon Duberry Ramsay, of the parish of Saint Catherine, gentleman, was on the 6th day of this present month of March charged upon oath before Joseph Reid, Robert Russell, William Kemble, Peter Alexander Espeut, Alexander John Dempster, Thomas Manners, Alexander Alexander, Richard Cowan, John Coates Land, and Lewis Edward Sinclair, ten of Her Majesty's justices of the peace in and for the said precinct of Saint Catherine, and also again on the 9th day of the said present month of March, charged upon oath before the said Joseph Reid, William Kemble, Peter Alexander Espeut, Alexander John Dempster, Thomas Manners, Alexander Alexander, John Coates Land, and Lewis Edward Sinclair, eight of Her Majesty's justices of the peace in and for the precinct aforesaid, for that he on the 18th day of October in the year of our Lord 1865, at the parish of St. Thomas-in-the-East, in the county of Surry and island aforesaid, did feloniously, wilfully, and of his malice aforethought kill and murder one George Marshall against the peace of our Lady the Queen, her crown and dignity. And whereas the charge in writing so made as aforesaid, on the days aforesaid, before the justices aforesaid, was made on the oath of James Beckett, Henry Ford, Augustus Walter Hewitt Lake, and Edwin Gentle in writing, and the same hath been laid before me the Honourable Alexander Heslop, Her Majesty's Attorney General of this island: These are therefore to command you in Her Majesty's name forthwith to apprehend the said Gordon Duberry Ramsay, and to bring him before me, or some other of Her Majesty's justices of the peace in and for the precinct aforesaid, to answer unto the said charge, and to be further dealt with according to law.

Given under my hand this 10th day of March, in the year of our Lord 1866, at Spanish Town in the precinct aforesaid.

(Signed) ALEXANDER HESLOP,
(Attorney General),
Justice of Peace for St. Catherine's Precinct.

Jamaica, Ss. }
Saint Catherine. }

Walter Langford Stewart, acting inspector of police for the precinct of St. Catherine and St. Thomas in the Vale, maketh oath and saith that he did on the 10th day of March 1866 execute the within warrant.

(Signed) W. L. STEWART,
Acting Inspector of Police.

Sworn before me this 10th day of March 1866.
(Signed) R. OSBORN, J.P.

Jamaica Ss., Surry, Parish of St. Thomas-in-the-East, to wit } In the Surry Circuit Court for the parish of Saint Thomas-in-the-East. Sittings next after the October term of the Supreme Court, 1866.

The Jurors for our Lady the Queen upon their oath present, That Gordon Duberry Ramsay, not having the fear of God before his eyes, but being moved and seduced by the instigation of the devil, on the 18th day of October, in the year of our Lord 1865, feloniously, wilfully, and of his malice aforethought, did kill and murder one George Marshall, against the peace of our Lady the Queen, her crown and dignity.

Plea.

Indorsed.

In the Surry Circuit Court for the parish of Saint Thomas-of-the-East, October term, 1866.
Indictment.—The Queen against Gordon Duberry Ramsay.
Sworn in Court.
Augustus Walker Hewitt Lake; James Beckett; Edwin Gentle; —— Marshalleck; —— Hall.

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In St. Thomas-ye-East Circuit Court, October, 1866.

Abstract of five cases investigated by Mr. Lindo.

The Queen against Chrisr. Codrington. } Assault occasioning actual bodily harm. For flogging Elizabeth Collins with a cat.

On 10th November, 1865. 27 Vict. cap. 32, sec. 38.

Witnesses.	
Elizth. Collins	Flogged.
Mary Johnson	Heard order to flog.
Jas. M. Reed	Inflicted flogging per prisoner's order.
Charlotte Scott	State of back.
Michael Piercy.	
Dr. Mein	Heard order and saw flogged.

The Queen against Same. } Same. For flogging Charlotte Scott with a cat.

On 10th November, 1865.

Witnesses.	
Charlotte Scott	Flogged.
Jas. M. Reed	Inflicted flogging per prisoner's order.
Dr. Mein	Heard order and saw flogged.
Elizth. Collins	State of back.
Michael Piercy.	

The Queen against Jas. Codrington. } Same. For flogging Margaret Minot with guava sticks.

On 18th October, 1865.

Witnesses.	
Margt. Minot	Flogged.
Alex. Cooper	Flogged her per prisoner's orders.
Charlotte Scott	Heard order and saw flogging.
Nathaniel Dick	Same.

The Queen against Same. } Same. For flogging Ann Galloway with guava sticks.

On 18th October, 1865.

Witnesses.	
Ann Galloway	Flogged.
Due Biggerstaff	Flogged her per prisoner's orders
Chs. Hunter	Heard order.

The Queen against John Woodrow. } Same. For flogging Fanny Taylor with a cat.

On 30th October 1865.

Witnesses.	
Fanny Taylor	Flogged.
Jno. Murray	Flogged her per prisoner's orders.
Jas. Gordon	Heard order and saw flogging.
Jno. Lindsay	Same.
Elizth. Mullett	Same.
Laurence Smith	Saw flogged in prisoner's presence.
Peter Jas. Espeut	Same.
Frs. Green	Not guilty of offence for which she was flogged.

No. 9.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

No. 9. (No. 43.) King's House, November 8, 1866.

(Received December 3, 1866.)

MY LORD, (Answered, No. 101, December, 11, 1866, page 47.)

I HAVE the honour to transmit to your Lordship herewith a copy of a letter which I have received from Mr. Gordon Duberry Ramsay, praying that as the grand jury of Saint Thomas-in-the-East, has rejected the Bill against him for the murder of George Marshall during martial law, the suspension from his office of Inspector of Police under which he had been placed while awaiting his trial, may be removed, and that he may be re-instated as Inspector of Police.

2. In support of his application Mr. Ramsay submits a sworn affidavit by Colonel Nelson, to which I would call your Lordship's particular attention. I also annex for your Lordship's information copy of Mr. Ramsay's letter of the 6th January, to which he refers as having been used in evidence by the prosecution, and a printed copy of the judge's charge to the grand jury.

3. I transmit to your Lordship a minute in which I have given at length the grounds for the decision I have adopted that Mr. Ramsay cannot be allowed to remain in the public service.

4. I have laid this minute before my Privy Council who concur in it, and I have accordingly, with their advice, dismissed Mr. Ramsay from the office of Inspector of Police.

I have, &c.
(Signed) J. P. GRANT.

The Right Hon. the Earl of Carnarvon,
&c. &c. &c.

Enclosure in No. 9.

Encl. in No. 9.

Mr. RAMSAY to the COLONIAL SECRETARY.

SIR, Spanish Town, October 25, 1866.

I HAVE the honour to request that you will be pleased to submit this my letter for his Excellency the governor in chief's consideration.

On the 3rd January 1866, the Honourable Mr. Jordan then governor's secretary, wrote to me inquiring into my conduct while acting in the capacity of provost marshal with the field force under Brigadier-General Nelson, to which I immediately replied, giving as I now and then believed a strict and true account, and to which I pray reference.

On the 15th January 1866 I received a letter from Mr. Jordon stating that in consequence of my letter of the 6th January I was suspended from my office of inspector of police for St. Catharine's, in which position I now remain upon half pay.

Ever since my suspension I have courted every inquiry, and I believe the Crown have had every opportunity of investigating all subjects and matters against me.

The Royal Commission heard all the evidence against me.

The Jamaica Commission apprehended and brought me before the justices of this town who, after two days' patient inquiry and allowing ample time for all evidence against me, dismissed the case.

His honour the Attorney General, on behalf of the Crown re-apprehended me on the same charge and after long delay to allow of every fact being brought to light, a bill of indictment was sent in against me for murder.

The grand jury of St. Thomas-in-the-East on the 18th October 1866, after hearing the evidence against me, and, I believe, reading my letter of the 6th January, found "no bill."

I have fifteen or sixteen credible witnesses to substantiate every word I wrote, as also to prove the evidence against me false and malicious.

I have also the sworn affidavit of General Nelson, who considered I had the power to act and did so in good faith for the public peace.

I therefore humbly and earnestly request that his Excellency, the Governor will in mercy consider the hardships of my position, the immense expense I have been subjected to, and remove my suspension with back pay, and further favourably consider me as recommended by General Nelson.

I have, &c.
(Signed) GOR. D. RAMSAY.
Inspector of Police, suspended.

The Honourable the Colonial Secretary,
&c. &c. &c.

Affidavit of COLONEL NELSON.

Jamaica Ss.

The Queen against Ramsay Gordon Duberry.

I, Alexander Abercrombie Nelson, of the parish and city of Kingston, Deputy Adjutant General of Her Majesty's Forces on this Island, being duly sworn, make oath and say:

1st. That I was the brigadier general in command of the field force in the parish of St. Thomas-in the-East in this island, and that the said Gordon Duberry Ramsay held the military office of provost marshal at Morant Bay in the said parish, from which place at the time of the death of George Marshall I was temporarily absent on a visit to Port Antonio.

2nd. That at the time of the death of George Marshall martial law existed in full force in the said parish of St. Thomas-in-the-East.

3rd. That by virtue of the said military office of provost marshal during martial law and at the time of the death of the said George Marshall, Gordon Duberry Ramsay, as such provost marshal, had according to military law the power of life and death.

4th. That I, as the brigadier-general in command of the district, was the superior officer of the said provost marshal, and had power to inquire into his conduct in respect to his said office.

5th. That I caused inquiry to be made respecting the death of the said George Marshall at Morant Bay during martial law, and touching the conduct of the said Gordon Duberry Ramsay as such provost marshal in such respect, and I was unable to obtain any evidence relating thereto or to arrive at any conclusion otherwise than that the said Gordon Duberry Ramsay, as such provost marshal, in the case of the said George Marshall, had acted bonâ fide for the preservation of discipline or that he had exceeded his power as such provost marshal.

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6th. That failing to obtain any such evidence or information I continued the said Gordon Duberry Ramsay in the said office of provost marshal and in the exercise thereof, from which I had the power to remove him for any misconduct, and did so continue him in his said office until the expiration of the statutory period of martial law.

(Signed) A. A. NELSON,
Deputy Adjutant General.

Sworn to before me at the city and parish of of Kingston this 7th day of August 1866.

(Signed) HENRY J. BICKNALL, J. P.

I shall be able to produce the original of which I believe this a true copy.

(Signed) GOR. D. RAMSAY.

SIR, Spanish Town, January 6.

I HAVE the honour to acknowledge receipt of your letter of the 3rd instant, in which his Excellency the Governor is pleased to call upon me to state whether, when Acting Provost Marshal, upon seeing a man being flogged, I ordered him to be hanged.

I have the honour to state that upon my returning from Stoney Gut, on the 18th October, prisoners were being brought into the station from every direction, and before mid-day, besides prisoners that were in tents in charge of the military, there were upwards of 100 in the police station and yard. One man was particularly violent, and stated to be one of the worst of the rebels. The depositions taken against him are among all other papers in the possession of the authorities, I believe. He became so bad that it was necessary to flog him to keep the others quiet, and he was ordered to get two dozen. On my going to the square, my attention was called to the threatening language he was using against every one of the bystanders. On looking at him he threatened my own life.

I did not know how many lashes he had received at the time, but, as the other prisoners were muttering and expressing sympathy, I ordered him to be taken down; he then shook his fist, and growled at me again, saying words to the effect he would do for me. There was no court-martial likely to sit for some days; and, considering that his remaining in the yard with other prisoners would be dangerous, I ordered him to be hanged.

The prisoners increased by night to nearly 250, besides the military prisoners.

The man was recognized by all as a leader among the rebels, and nearly every one considered him dangerous.

I am not aware that there was any officer present at the time the man was hanged; but General Jackson, who came up a few hours after, considered I had done under the circumstances what was justifiable.

I may mention that out of about eleven hundred prisoners who passed under my charge, this only execution I had without trial; and, considering that the convicts had been a short time before liberated from the district prison, and that he was afterwards seen with them, as he stated at the time, I trust I have not acted wrongly.

I am, &c.
(Signed) GOR. D. RAMSAY,
Inspector Police.

Then follows the Judge's Charge to the Grand Jury on October 18th, 1866, which will be found printed at page 11.

MINUTE.—MR. RAMSAY'S CASE.

ON the 3rd of January 1866, the Governor's secretary, by order of Mr. Eyre, who at that time was exercising the office of Governor, wrote to Mr. Ramsay asking him whether, whilst acting as Provost Marshal, and seeing a man flogged, he ordered him down and hung him without any trial or authority whatever; and requesting him to report if the statement was true, and all the circumstances connected with the transaction.

To that question Mr. Ramsay, in a letter dated the 6th of January, replied, speaking of a number of prisoners whom he found in the police station and yard at Morant Bay, after his return thither from Stony Gut on the 18th of October 1865, in the following words: "One man was particularly violent, and stated to be one of the worst of the rebels. The depositions taken against him are among all other papers in the possession of the authorities, I believe. He became so bad that it was necessary to flog him to keep the others quiet, and he was ordered to get two dozen. On my going to the square my attention was called to the threatening language he was using against every one of the byestanders. On looking at him, he threatened my own life.

"I did not know how many lashes he had received at the time, but as the other prisoners were muttering and expressing sympathy, I ordered him to be taken down. He then shook his fist and growled at me again, saying words to the effect he would do for me. There was no court martial likely to sit for some days, and considering that his remaining in the yard with others prisoners would be dangerous, I ordered him to be hanged.

"The prisoners increased by night to 250, besides the military prisoners. The man was recognized by all as a leader amongst the rebels, and nearly every one considered him dangerous.

"I am not aware that there was any officer present at the time the man was hanged; but General Jackson, who came up a few hours after, considered I had done, under the circumstances, what was justifiable.

"I may mention that out of about 1,100 prisoners who passed under my charge, this only execution I had without trial, and considering that the convicts had only been a short time before liberated from the district prison, and that he was afterwards seen with them, as stated at the time, I trust I have not acted wrongly."

General Jackson, it must be observed, is a retired officer, and was not present in any military capacity. He is a justice of the peace.

On receipt of this letter, Sir Henry Storks, who in the interval had assumed the Government, ordered Mr. Ramsay's suspension from the office of inspector of police for the precinct of St. Catherine.

In the month of March proceedings were taken against Mr. Ramsay before a bench of justices of the peace for the parish of St. Catherine, who, by a majority of five to two, released Mr. Ramsay. The Attorney General, however, having examined the depositions, and having authority for such a purpose as a justice of the peace in every parish, issued his warrant for Mr. Ramsay's re-apprehension; and on Mr. Ramsay's appearance before him, committed him for trial on a charge of murder. Mr. Ramsay, who had been in the meantime out on bail, was indicted for the offence of which he stood charged at the sessions held last month at Morant Bay. On that occasion, Mr. Justice Ker, who presided, addressed the grand jury in a full, exhaustive, and remarkably lucid charge, in relation to this case; stating the facts as sworn to by the witnesses, whose evidence, his Honor observed, was as yet uncontradicted; and expounding, in a manner so clear as to be impossible to be misunderstood, how the law bears upon such facts.

I here extract the summing up of the charge upon this case.

"The question, therefore, for your consideration upon the whole matter will be, has the Crown, upon the evidence which will be produced before you, established such a primâ facie case against the defendant as to make it proper that this case should be remitted for the fuller inquiry which it necessarily receives at the hands of a petty jury? Upon this subject I owe it to the administration of justice to remark, that you ought not to have a doubt. If these witnesses speak the truth (and as yet they are uncontradicted), they have told a tale which no system of criminal jurisprudence but is under a positive obligation to investigate. I need hardly observe that, by finding a true bill, you do not pronounce the defendant guilty, but merely call upon him to say what he has to urge by way of defence or explanation."

Hereupon the grand jury threw out the bill of indictment against Mr. Ramsay, who was then released.

In consequence of the ignoring by the grand jury of the indictment against him, under the circumstances above described, Mr. Ramsay now asks that his suspension from the office of inspector of police be removed; that his back pay, being the difference between his full salary and the half salary he has been drawing since the date of his suspension, be made up to him; and that he may be further favourably considered, as recommended by Colonel Nelson. Mr. Ramsay submits a copy of an affidavit of Colonel Nelson, who was, at the time in question, as brigadier general in command, the superior officer of Mr. Ramsay in his temporary capacity of provost marshal, in execution of which office the act charged was done; in which affidavit Colonel Nelson, so far as his opinion can do so, exonerates Mr. Ramsay from criminality in the affair. But I do not find in this affidavit any recommendation of Mr. Ramsay for further favourable consideration.

It is now my duty to decide upon the official question of Mr. Ramsay's retention in office as an inspector of police.

Whilst Mr. Ramsay's case was pending before the courts of justice, it was quite proper to hold in abeyance the official question; for an adverse decision on this question might have been regarded as in some degree a prejudgment of the criminal charge, and as tending to the prisoner's disadvantage at the trial which it was presumable he would undergo; whilst a contrary decision, in the state of the case then, would have been inconsistent with the resolution taken to bring him to trial. It is true that even now there has been no trial on the one point at issue in the case; and it is true that for this failure Mr. Ramsay is not to blame. But it is impossible that the official question can be held in abeyance for ever, or for an indefinite time. The case has already been much longer in suspense than is good for the public service; and Mr. Ramsay must now either be restored to the exercise of his important office of a district inspector of police, or removed from it.

Mr. Ramsay is entitled to the full benefit of the fair and bold manner in which he has met the charge against him. From first to last he has admitted the act charged, without qualification or hesitation; and he has relied on what he intended to set up on his trial, as a justification of that act, had he been allowed the opportunity of so doing. This conduct is consistent with a real belief in the validity of his plea in justification, and consequently of his moral innocence of the frightful crime of which he is accused; and as a public officer he is entitled to the credit due to such a straightforward line of defence. But it is not the less incumbent on the Government, so far as Mr. Ramsay's retention in the police force is concerned, to come to a formal decision on the question of the admissibility of the defence relied upon by him.

As to the legal validity of the justification set up, I have not to give an opinion. All I can say on that point is, that it is deeply to be regretted, on any legitimate view of the case, that the finding of the grand jury has been such as to prevent the investigation of the evidence on either side of that question. If the justification be invalid, public justice has been outraged; and if it be valid, a monstrous injustice has been inflicted upon Mr. Ramsay. In any case he may have been condemned, for life perhaps, to suffer under a charge of the greatest of crimes, without being permitted to try the issue upon which, as he himself maintains, the question of his guilt or innocence depends. I lament this injustice, as much on Mr. Ramsay's account, supposing him to have been able to establish the justification he intended to set up, as on account of public justice and the national character, supposing him to have been unable to do so.

I cannot guess the ground on which the grand jury thought it their duty to contradict the judge's charge, by their finding. It cannot have been disbelief of the witnesses for the prosecution, because they had before them the prisoner's written admission of the act charged. It can hardly have been that they would not accept the judge's view of the law, that unjustified, unexcused, and unexplained, the act would be murder. And they were told that they had to do only with the establishment of a

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primâ facie case for the prosecution; but whatever may have been the ground for their finding, the result is deplorable. The case is left to the world upon the judge's charge, which will carry conviction to every unprejudiced mind, as an apparent case of murder, which can only change its frightful aspect on the establishment of a plea in justification, excuse, or explanation; and the finding of the grand jury prevents all examination of the merits of any such plea.

The personal grievance and the public evil are great, but the fault is not with the Government. The Government would have wished not to have come to a decision on Mr. Ramsay's case, in its official bearings, until the justification he sets up in his official correspondence had been investigated thoroughly and judicially in all its legal and moral bearings. But being deprived of this advantage by no fault of its own (and it is but just to admit by no fault of Mr. Ramsay's) as the Government can no longer postpone a decision, it must form its judgment upon so much of the matter as falls within its province by the help of such lights as the case affords in its present condition.

Having been prevented from learning what evidence the witnesses for the defence can give, I throw out of view the depositions for the prosecution.

My judgment on this question is formed exclusively upon Mr. Ramsay's own official letters in explanation and defence of the act which he admits that he did.

In his letter of the 6th of January, Mr. Ramsay writes that Marshall was ordered by him to be flogged, because it was necessary to do so in order to keep other prisoners quiet, he having been particularly violent. That whilst undergoing the flogging, Marshall used threatening language against every one of the byestanders and against Mr. Ramsay himself. That he ordered Marshall to be taken down (for what purpose or with what intention he does not say) because the other prisoners were muttering and expressing sympathy. That Marshall then shook his fist and growled at him, and said he would do for him; and that thereupon, because he thought Marshall's remaining in the yard with other prisoners would be dangerous, he ordered him to be hung, and he was hung accordingly. I omit Mr. Ramsay's allegations against Marshall, said to be derived from hearsay, of bad character, leadership of rebels, and so forth, not only because they are unsupported, but as having no bearing, even if true, on the justification set up. Mr. Ramsay does not pretend that Marshall deserved death for anything done within his own knowledge or in his presence; and I believe indeed, that there is no Englishman who in a calm retrospective view of the occurrence would dare to say that any deportment of the poor creature in his agony could have been such as to merit death.

This is the whole of the case as laid before Government by Mr. Ramsay himself.

I am asked to replace an officer in the important post of inspector of police of a district, who conceives that he did not do wrong by hanging a man after flogging him, because he thought his remaining in a certain yard amongst certain prisoners would be dangerous.

To whom dangerous, why dangerous, and by what means dangerous, this flogged and writhing man could be, when the whole story shows that Mr. Ramsay then and there had the power to flog and to hang whomsoever he chose, Mr. Ramsay has not attempted to explain; nor has he attempted to explain why, if he thought the flogged man's separation from the other prisoners advisable, it was necessary to hang him in order to effect such separation.

There are reasons which induce me to say nothing here against Mr. Ramsay that I am not obliged to record in determining the question before me, which is, whether he should be replaced in or removed from his office in the police. Upon the judicial question, that is to say the legal validity of this justification, excuse, or explanation, I do not presume to say a word; and upon the military question, that is to say, the propriety or impropriety, according to military rules, of Mr. Ramsay's conduct on this occasion, in his temporary military capacity of provost marshal (on which question Colonel Nelson has made affidavit) I do not presume to say a word. Upon the civil departmental question I must say this, that the proper performance of the functions of a district inspector of police requires a humane as well as a firm character, a cool head in times of trial, a calm temper under irritating circumstances, and a general steadiness of judgment, all lamentably wanting in Mr. Ramsay upon this occasion. And having to determine on the fitness for the post of an inspector of police or for any other post under the civil government of this Colony, of a person who has acted as Mr. Ramsay admits that he acted in this miserable case, and who believes that in so acting he has not done wrong, I must pronounce without hesitation my judgment to be in the negative. Accordingly I am of opinion that Mr. Ramsay should be removed from the office which he holds under the Governor's commission.

6th November 1866. (Signed) J. P. GRANT.

No. 10.

No. 10.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 72.) King's House, December 24, 1866.

(Received January 18, 1867.)

MY LORD, (Answered, No. 139, January 31, 1867. p. 47.)

* Page 15.

REFERRING to the last paragraph of my Despatch No. 42,* of the 8th November, I have the honour to transmit to your Lordship the enclosed letter from Mr. S. D. Lindo, forwarding the depositions taken by him, as agent of the Government, in respect of the proceedings against civilians charged with grave offences in the suppression of the late disturbances.

2. I regret that I have been unable to send these depositions at an earlier date, but they have only been received by me in time for transmission by the present mail.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c. (Signed) J. P. GRANT.

Enclosure in No. 10. JAMAICA.

MR. S. D. LINDO to the ATTORNEY GENERAL. Encl. in No. 10.

SIR, Kingston, December 1, 1866.

I HAVE the honour to report that in accordance with your request under the authority of his Excellency the Governor, conveyed to me by your letter of the 27th September, (copy herewith,) I proceeded to Saint Thomas-in-the-East on the 30th September last, to aid Mr. Ewart in investigations into the cases particularly mentioned in your letter, of alleged excesses by civilians during martial law.

I immediately put myself in communication with the stipendary justice and the clerk of the peace and procured from the latter officer information in all the cases to be sworn to by the complainants indicated in your letter. These were at once sent off to them by an intelligent sergeant of police, who was instructed to inform and explain to them that if they desired to prosecute and would swear to the informations and attend with their witnesses, the cases would be investigated free of any expense to them.

As to the cases indicated against Mr. Ford at page 397 of the Evidence taken before the Royal Commission, the sergeant was instructed to make it known at Golden Grove that if any women who had been flogged by Mr. Ford's orders, chose to come forward to prosecute him their charges would also be inquired into without any expense to them.

I may mention, that as arranged between us, before proceeding to Saint Thomas-in-the-East, I addressed Mr. Nathan as one of the solicitors retained by the alleged sufferers during the sittings of the Royal Commission, (see copy letter herewith) informing him that I had been instructed to assist in these cases, and asking him whether he would refer you to any cases of alleged excesses, and that if he would do this you were ready to consider whether they ought to be prosecuted.

To this communication Mr. Nathan replied, tendering the papers in his possession, but declining to indicate any cases for prosecution (see copy of his letter herewith). I now proceed to detail my proceedings in each case.

No. 1.

Against Christopher Codrington, for flogging Elizabeth Collins with a cat. Certified copies of the depositions are herewith, by which it appears that the defendant caused the complainant to be flogged because he had been told she had gone on his property to take a hog of his, in payment of one of hers which he had destroyed. In the course of the proceedings the defendant admitted that he had so done, and Mr. Justice Ewart sent the case for trial.

No. 2.

Against Christopher Codrington, for flogging Charlotte Scott with a cat, (see certified copies of depositions herewith,) which clearly show the charge to be true, and that the woman was flogged for using the bad language mentioned in the evidence, and indeed the defendant admitted it was so. The case was sent for trial.

In both these cases punishment was inflicted without any trial and at the sole instance of the defendant, who at the time was a justice of the peace for the parish.

No. 3.

Against William Pitt Kirkland, for flogging James Turner with a wire cat, (see depositions herewith). Although the complainant did not produce and could not name any witnesses to corroborate his statement, Mr. Justice Ewart sent the case for trial.

No. 4.

Against William Pitt Kirkland, for flogging Betsy Lucam with a cat, (see certified copies, depositions herewith). Although the complainant was contradicted by the witnesses she produced Mr. Justice Ewart nevertheless sent the case for trial.

No. 5.

Against William Pitt Kirkland, for flogging Jack MacFarvish with a wire cat. Herewith I send the information which was tendered to the complainant by the sergeant of police. By the memorandum in the folding, signed by the sergeant and witnessed by Mr. Justice Ewart, you will observe that the complainant refused to prosecute.

No. 6.

Against Henry Ford, for flogging John Mullins, who afterwards died. On the information being tendered to Lucretia Mullins, she, with Mary Mitchell, came to me, and from them I learnt that Mr. Ford had nothing to do with this flogging. That they had heard that Mullins was flogged by soldiers, and therefore I took no further proceedings in this case.

No. 7.

Against Henry Ford, for flogging Leonora Kelly with a cat.

No. 8.

Against Henry Ford, for flogging Mary Ann Tom with a cat. These women (with several others) came to me in consequence of the intimation given to them by the sergeant of police, and swore to informations for aggravated assaults against Mr. Ford, upon one of which Mr. Justice Ewart issued a summon for the defendant's appearance before him. The defendant, who was in Kingston, instead of obeying the summon, fled from the Island, publishing in the newspapers his reasons for flying (see newspaper herewith.)

The defendant not answering the summon Mr. Justice Ewart, before taking any further proceedings, questioned the complainants closely, when he ascertained from them that soldiers and officers were present when they were flogged, whereupon I declined to prosecute the cases, as I conceived your instructions were restricted to those cases mentioned by Mr. Ford, before the Royal Commissioners of floggings, by his sole authority, at Golden Grove, in the absence of and after the soldiers had left that place. I then endeavoured, by inquiries, to find any woman who had been so flogged, but failed to do so. No proceedings whatever were therefore taken against Mr. Ford.

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No. 9.

Against James Codrington, for flogging Margaret Minott with guava sticks, (see certified copies of depositions herewith). No reason appears for this flogging, but there seemed no doubt about its infliction, and therefore Mr. Justice Ewart sent the case for trial.

No. 10.

Against James Codrington, for flogging Ann Galloway with guava sticks, (see certified copies of depositions herewith) from which it appears that the woman was flogged because she had trespassed on the lands of a man named Hunter. The case was sent for trial. In both thse cases no trial appears to have taken place, and the defendant, who was not even a justice of the peace, is alleged to have ordered the punishments on his sole authority.

No. 11.

Against John Woodrow, for flogging Ann Barnett. Ann Barnett could not be found in the parish, to lay an information.

No. 12.

Against John Woodrow, for flogging Fanny Taylor with a cat (see certified copy depositions herewith). Notwithstanding the evidence, which clearly proved that the defendant had ordered the flogging, he positively denied it before the justices, and referred to the complainant's evidence before the Royal Commission, (see page 977,) where she had sworn that the flogging had been ordered by James Gordon. The case was, however, sent up for trial.

No. 13.

Against David Winton, for shooting William Cargill, (see certified copy depositions herewith,) which are very full and complete, and although Mr. Justice Ewart sent the case for trial, I did not think that it was made out against the prisoner, but that on the contrary, it had been clearly shown that Cargill had been shot by the Maroons.

Having already, immediately upon my return from St. Thomas-in-the-East, gone through the whole of these cases with you, I do not see that I can add anything further to this report; my retainer was confined to the investigations in St. Thomas-in-the-East, and therefore, officially, I know nothing as to what bills were sent in, or the fate of them.

In all the cases we were obliged to urge the attendance of prosecutors and witnesses. They generally complained of their loss of time in attending in these cases, and seemed unwilling to prosecute, or at least desirous not to proceed.

I received your Honor's request to make this report just before my departure for St. Mary's, to attend my circuit court, and only found the copy depositions, which took some time to prepare, at my office here on my return. I regret there should have been any delay in the matter, but it occurred as I have above stated.

I have, &c.,

To his Honour the Attorney General, Spanish Town. (Signed) S. D. LINDO.

Schedule of Sub-enclosures in Despatch No. 72 of 24th December, 1866.

No. 1.	Attorney-General to S. D. Lindo, 27th September 1866.		
„ 2.	Mr. Lindo to Mr. Nathan, and his reply, 28th September 1866.		
„ 3.	Depostions in the case of C. Codrington.		
„ 4.	do.	do.	do.
„ 5.	do.	do.	W. P. Kirkland.
„ 6.	do.	do.	do.
„ 7.	do.	do.	do.
„ 8.	do.	do.	J. Codrington.
„ 9.	do.	do.	do.
„ 10.	do.	do.	J. Woodrow.
„ 11.	do.	do.	D. Winton.

Sub-enclosure 1 to Enclosure in No. 10.

SIR, Spanish Town, 27th September 1866.

I have the authority of his Excellency the Governor for requesting you as I now do, to proceed with all possible promptitude to Saint Thomas-in-the-East, in order to aid the stipendiary magistrate, Mr. Ewart, in investigations into the following cases of alleged excessive or unwarrantable floggings and shooting by civilians during and after martial law:

Against Christopher Codrington, for flogging Elizabeth Collins; see Evidence before Royal Commissioners, p. 316. For flogging Charlotte Scott; see Evidence, p. 460. And as to both these cases see Evidence, p. 1042.

Against William Pitt Kirkland, for flogging James Turner; see Evidence, p. 574. For flogging Betsy Lucas; see Evidence, p. 796. For flogging Jack McTarvish; see Evidence, p. 957. And as to these three cases, see Evidence, Robert William Kirkland, p. 113, J. McLean Gray, p. 168, Peter Bruce, p. 75, A. G. Fyfe, pp. 895 and 897.

Against Henry Ford, for flogging; see Evidence p. 953, 397.

Against James Codrington, for flogging Margaret Minott; see evidence p. 576. For flogging Ann Galway; see Evidence p. 580.

Against John Woodrow, for flogging Ann Barnett; for flogging Annie Taylor; see Evidence, p. 979.

Against David Wyntern, for shooting William Cargill; see Evidence pp. 940 and 1030.

You are, by personal inquiry, in fact to supply me with information in regard to these particular cases which I am, in most instances, unable to derive from the published evidence of the Royal Commissioners, which, you are aware, did not sit with the view of instituting judicial proceedings.

It is probably unnecessary specifically to mention the particulars in which that evidence fails to supply me with the necessary materials for instituting possible prosecutions, but I will give one as an instance. The evidence given before the Commission rarely gives the names of those who underwent punishment by the scourge.

In a word, you will inquire into such details as are necessary in each of the cases above particularized towards the framing of indictments.

It is of the utmost importance that this information should be obtained and communicated to me without delay, as the Circuit Court for Saint Thomas-in-the-East will commence its sittings on the 18th of next month.

Of course, and to prevent applications for the postponement of trials at that court, it will be necessary that the parties charged be confronted with the witnesses against them. In all cases reasonable bail should be taken.

I send herewith a copy of the evidence given before the Royal Commission.

Please to oblige me by an immediate answer, stating whether or not you will accept the proposal herein made to you.

I have, &c.,

S. D. Lindo, esq., solicitor, Kingston.

ALEXANDER HESLOP, Attorney General.

Sub-enclosure 2 to Enclosure in No. 10.

Sir, Kin, 28th September, 1866.

Having been instructed by his Honor the Attorney General to aid the Crown in the investigation of cases of alleged offences by civilians during the suppression of the late rebellion, I am to ask you, as one of the solicitors retained by the alleged sufferers, whether you will refer the Attorney General to any such cases and the evidence taken before the Royal Commissioners which you think supports them. If you will do this the Attorney General is ready to consider whether they ought to be investigated and prosecuted by the Government at the approaching Circuit Court for the parish of Saint Thomas-in-the-East.

D. P. Nathan, esq.

I am, &c.,

S. D. LINDO.

SIR, Kingston, 29th September, 1866.

I have the honour to acknowledge the receipt of your letter of the 28th instant requesting, me, as one of the solicitors retained by the sufferers in the late disturbances in Saint Thomas-in-the-East, to refer his Honor the Attorney General to any cases of alleged offences committed by civilians during that period.

I have in answer to state that the briefs and indices of cases prepared by myself and other professional gentlemen during the sitting of the Royal Commission in Jamaica are in the hands of parties in England, to whom they were sent many months ago. Numerous rough drafts of flagrant cases are, however, in my possession, and you are very welcome to the use of them in prosecuting your investigations. It does not form any part of my duty to select cases for prosecution by the Crown, especially when the published evidence taken before the Commission supplies numerous undoubted cases of atrocious wrongs done to life and liberty, not only within proclaimed districts but in the metropolis, where martial law did not exist.

Foreseeing that it is just possible it may he said hereafter that aid and co-operation were denied the Crown officers by my clients, I beg to state explicitly that although I am without any instructions I shall be very happy to give you all the papers in my possession, leaving the selection of cases for prosecution, as I ought to do, entirely to the untrammelled judgment of Her Majesty's Attorney General.

I have, &c.,

S. D. Lindo, esqre.

D. P. NATHAN.

Sub-enclosure 3 to Enclosure in No. 10.

Jamaica, S.S.
Parish of St. Thomas-in-the-East. } The Queen against Christopher Codrington.

The examination of Elizabeth Collins, of the parish of St. Thomas-in-the-East, and of Mary Johnston, James McConnock Reid, David Mein, and Charlotte Scott respectively, of the said parish, taken on oath on the 4th day of October, in the year of our Lord 1866, at the said parish before the undersigned David Ewart, esquire, one of Her Majesty's justices of the peace in and for the said parish, in the presence and hearing of the said Christopher Codrington, who is charged this day before me, for that he, the said Christopher Codrington, on the 10th day of November, in the year of our Lord 1865, at the parish aforesaid, in and upon one Elizabeth Collins did make an assault, and her, the said Elizabeth Collins, did then beat, wound, and illtreat, thereby occasioning to the said Elizabeth Collins actual bodily harm, and other wrongs to the said Elizabeth Collins then did, to the great damage of the said Elizabeth Collins, against the form of the Act in such case made and provided, and against the peace of our Lady the Queen, her crown and dignity.

Elizabeth Collins, on her oath, saith as follows:

I live at Long Bay on my own place, which I work. The same Friday in November last year that defendant flogged my daughter, Charlotte Scott. I was taken before him to Mein's shop at Long Bay, in this parish, by one Michael Pearcey, a constable. Mary Johnston was taken with me. Defendant asked Mary Johnston "Did you not hear Mrs. Collins wanted to catch one of my barrows in the place of one of her hogs I poisoned?" Mary told him "No;" and he swore her on a bible, and she still said "No." He then said to her "You see that cocoa nut tree? that woman (meaning me) is to be tied to it and get some lashes, and if you refuse to tell me what that woman said you will get the same." Then Mary said "Yes, she did hear me say I would catch one of his hogs." He ordered Pearcey to put me up into a room. Pearcey did so, and awhile after brought me out and then defendant ordered James McComock

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Reid to tie me to a cocoa nut tree. Reid tied my hands and feet to the cocoa nut tree and pulled down my clothes to my waist, and defendant ordered him to give me 30 lashes, which Reid did, with a cat, on my shoulders. I bled much and was sick two weeks. I have the marks still. Mr. Christopher Codrington and Mr. Mein were present when I was flogged. Before martial law defendant poisoned a hog of mine, but I never said that I would take one of his in payment. The Monday after I was flogged I went and gave my evidence before Captain Hole at Port Antonio.

her
ELIZABETH × COLLINS
mark.

Mary Johnston, on her oath, saith as follows:—

I live at Long Bay in this parish. I recollect when Elizabeth Collins was flogged during martial law at Long Bay. Pearcey the constable took us before Mr. Christopher Codrington. He asked me if I knew anything about Mrs. Collins, and I told him "No;" and he asked me "Did not Mrs. Collins say she was going to catch one of my barrows to pay for one I had poisoned of hers?" and I said "No;" and he swore me on a Bible, and I still said "No." Afterwards I did say "Now I just recollect I did hear Mrs. Collins say she had a mind to take one of your barrows for the payment of one you had poisoned." Then Mr. Codrington said "Lock up Mrs. Collins until the man who gave the catting came," and then I went away.

her
MARY × JOHNSTON
mark.

James McComock Reid, on his oath, saith as follows:—

I live at Long Bay in this parish. During martial law I flogged Elizabeth Collins with a cat on her naked shoulders, at Long Bay. She was tied hands and feet to a cocoa nut tree. I gave her more than twenty blows. The cat was made of black fishing lines. I did this by Mr. Christopher Codrington's orders. He was present and saw me do it. The woman's back bled. Mr. David Mein was on the left hand, with a sword.

his
JAMES MCCOMOCK × REID
mark.

David Mein, on his oath, saith as follows:—

I live at Long Bay, in this parish, and am a shopkeeper. I recollect Friday the 10th of November last year. It was during martial law. Elizabeth Collins was flogged on that day by James Mc Comock Reid on her naked shoulders with a cat, by the orders of Mr. Christopher Codrington, who was present when it was done. I think she must have got over 20 lashes. She was tied to a cocoa nut tree. Mr. Codrington flogged her because he was told she had gone to Rose Garden in the martial law to take a hog of his in payment of one of hers he had destroyed. There was no other charge against her. She was flogged solely on Mr. Codrington's orders.

DAVID MEIN.

The foregoing depositions of Elizabeth Collins, Mary Johnston, James McCormock Reid, and David Mein were taken and sworn to before me this 4th day of October 1866, at the parish of Saint Thomas-in-the-East.

D. EWART, S. M.

The foregoing depositions are true and faithful copies of the original depositions taken.

S. COOKE, Clerk of the Peace,
St. Thomas-in-the-East, Jamaica.

Sub-enclosure 4 to Enclosure in No. 10.

Jamaica, S.S.,
Parish of St. Thomas-in-the-East. } The Queen against Christopher Codrington.

The examination of Charlotte Scott, of the parish of St. Thomas-in-the-East, single woman, and of David Mein and James McComock Reid respectively, of the said parish, taken on oath on the 4th day of October, in the year of our Lord 1866, at the said parish, before the undersigned, David Ewart, esquire, one of Her Majesty's Justices of the Peace in and for the said parish, in the presence and hearing of the said Christopher Codrington, who is charged this day before
for that he, the said Christopher Codrington, on the 10th day of November, in the year of our Lord 1865, at the parish aforesaid, in and upon one Charlotte Scott, did make an assault, and her, the said Charlotte Scott, did then beat, wound, and illtreat, thereby occasioning to the said Charlotte Scott actual bodily harm, and other wrongs to the said Charlotte Scott then did, to the great damage of the said Charlotte Scott, against the form of the Act in such case made and provided, and against the peace of our Lady the Queen, her crown and dignity.

Charlotte Scott, on her oath, saith as follows:—

I live at Long Bay; am a labourer. I know Mr. Christopher Codrington, a magistrate. During martial law last year I went down to David Mein's shop at Long Bay in this parish to buy salt provisions, and was then flogged. Mr. Christopher Codrington had nothing to do with this flogging; he was not there. Afterwards, I was passing the same shop on a Friday with nine bottles of cocoa nut oil on my head, and I saw Mr. Christopher Codrington in the shop, and I said "Good morning," and passed. When I got 20 yards off the shop, he sent a constable, Michael Pearcey, to call me. I went back, and Mr. Christopher Codrington ordered Pearcey to take the oil off my head, and told Pearcey to break them up. I told him the oil belonged to his washerwoman. Mr. Codrington then ordered the constable, Michael Pearcey, and James McComock Reid to take me to the cocoa nut tree, and tie

me up, and give me 50 lashes, and afterwards to take me down to Port Antonio to be sent to the Penitentiary for five years. Reid and Pearcey stripped my clothes to my waist, and tied me to the cocoa nut tree, and James McComock Reid gave me 21 lashes on my bare back with a cat. Mr. Christopher Codrington stood by and said I must beg pardon, and I did so, and they stopped flogging me. My back bled, and I suffered pain, and my back was bad for a whole month. I was not tried before this was done. Three days after this I gave evidence about it before Captain Hole at Port Antonio. I believed martial law was over when I was flogged, and therefore said so; I now learn it was not over. Mr. David Mein was present when Mr. Codrington ordered me to be flogged, and I was flogged.

Cross-examined.—You asked me, when the constable brought me back, whether I had not said that I wished flies would blow the arses of all the whites and mulattos as they did in Morant Bay? I told you I had not said so, and I never had.

her
CHARLOTTE × SCOTT
mark.

David Mein, on his oath, saith as follows:—

I live at Long Bay in this parish, and am a shopkeeper. I recollect Friday the 10th of November last year. I saw Charlotte Scott on that day; she was flogged, by Mr. Christopher Codrington's orders, by a constable; I can't tell how many lashes. I did not observe her back. She was tied to a cocoa nut tree; she was stript to the waist; she was flogged with a light cat made of Marlina lines. I believe it was in the form of a cat-of-nine-tails, with knots to the tails. No military were present when it was done, nor was she ordered to be flogged by any military tribunal. I did tell Mr. Codrington that Charlotte Scott had said "I shall live to see all your damned buckras' and Mulattos' arses blow." But I did not tell him what was a fact, that his brother James had already flogged her for it. It was for this language that, I believe, Mr. Christopher Codrington flogged her.

DAVID MEIN.

James McComock Reid, on his oath, saith as follows:—

I live at Long Bay and Elmswood, and am a labourer. On Friday, the 10th of November last year, during martial law, I flogged Charlotte Scott with a cat-of-nine-tails made of fishing line, at Long Bay, on her shoulders; she did not bleed much. She was stripped to the waist by Mr. Cristopher Codrington's orders; she pulled her clothes herself; she was tied to a cocoa nut tree. I flogged her by Mr. Christopher Codrington's orders, and she was to get 50 lashes, but I don't know how many I gave her.

his
JAMES McCOMOCK × REID
mark.

The foregoing depositions of Charlotte Scott, David Mein, and James McComock Reid were taken and sworn to before me this 4th day of October, 1866, at Morant Bay, in the parish of Saint Thomas-in-the-East.

D. EWART, S. M.

The foregoing depositions are true and faithful copies of the original depositions taken.
S. COOKE, Clerk of the Peace,
St. Thomas-in-the-East, Jamaica.

Sub-enclosure 5 to Enclosure in No. 10.

Jamaica, S.S., } The Queen against William Pitt Kirkland.
Parish of St. Thomas-in-the-East. }

The examination of James Turner, of the parish of St. Thomas-in-the-East, labourer, of the said parish, taken on oath on the 28th day of September, in the year of our Lord 1866, at the said parish, before the undersigned, David Ewart, of Her Majesty's Justices of the Peace in and for the said parish, in the presence and hearing of the said William Pitt Kirkland, who is charged this day before me for that he, the said William Pitt Kirkland, on the 21st day of October, in the year of our Lord 1865, at the parish aforesaid, in and upon one James Turner did make an assault, and him, the said James Turner, did then beat, wound, and illtreat, thereby occasioning to the said James Turner actual bodily harm, and other wrongs to the said James Turner then did to the great damage of the said James Turner, against the form of the Act, and against the peace of our Lady the Queen, her crown and dignity.

James Turner, on his oath, saith as follows:—

I reside at Golden Grove in this parish. During martial law I was taken up by constables on the order of John Mandes, a Maroon. They carried me to Golden Grove Great House, and tied me there for the night. The next day I was taken on to Bath; cannot remember the day it was. On a Saturday, in the second week of martial law, I was flogged, along with many others, over 50 lashes, by the order of Mr. Kirkland; I heard the order given myself. My shirt was taken off, and I was tied to a cart by my hands and flogged with a cat; the cat had wire in it. I was then let go. Cannot say how many lashes I received; don't know the person who flogged me. I did not hear Mr. Kirkland say how many lashes I was to receive.

his
JAMES × TURNER
mark.

JAMAICA.

The foregoing deposition of James Turner was taken and sworn to before me, this 28th day of September, 1866, at the parish of Saint Thomas-in-the-East.

D. EWART, S. M.

The foregoing deposition is a true and faithful copy of the original deposition taken.

S. COOKE, Clerk of the Peace,
St. Thomas-in-the-East, Jamaica.

Sub-enclosure 6 to Enclosure in No. 10.

Jamaica S.S.
Parish of St. Thomas in the East. } The Queen against William Pitt Kirkland.

The examination of Betsey Lucan, of the parish of St. Thomas-in-the-East, widow, and of John Mendes, William Bennett, and James Stirling respectively, of the said parish, taken on oath on the 28th day of September, in the year of our Lord 1866, at the said parish, before the undersigned David Ewart, of Her Majesty's Justices of the Peace in and for the said parish, in the presence and hearing of the said William Pitt Kirkland, who is charged this day before me, for that he the said William Pitt Kirkland on the day of October, in the year of our Lord 1865, at the parish aforesaid, in and upon one Betsey Lucan did make an assault, and her the said Betsey Lucan did then beat, wound, and illtreat, thereby occasioning actual bodily harm to the said Betsey Lucan, and other wrongs to the said Betsey Lucan then did to the great damage of the said Betsey Lucan, against the form of the Act in such case made and provided, and against the peace of our Lady the Queen, her Crown and dignity.

Betsey Lucan, on her oath, saith as follows:—

I live at Duckenfield, in this parish, and resided there in the month of October last year. My husband was shot by the soldiers. The Maroons took me up and carried me to Bath. One of the Maroons was John Mendes. They carried me before Mr. Kirkland. He asked, Why did you not shoot her? He said, As you did not shoot her give her a good fum fum. They stript down my frock and shift, and tied me to a tree at the same place where Mr. Kirkland was, and flogged me. I was flogged by the Maroons. Don't know them. Don't see any one here that flogged me. I was flogged with something twisted like a sailor's rope. I don't know any one that was present when I was flogged.

her
BETSEY × LUCAN
mark.

John Mendes, on his oath saith as follows:—

I reside at Retreat, in this parish. I know Betsey Lucan. I never took her up, and never carried her to Bath. I never went to Duckenfield during martial law. I knew her husband well. I never saw her flogged at Bath.

his
JOHN × MENDES
mark.

William Bennett, on his oath, saith as follows:—

I never saw Betsey Lucan before to-day. I never saw her flogged any where.

his
WILLIAM × BENNETT
mark.

James Sterling, on his oath, saith as follows:—

I don't know Betsey Lucan. I never saw her before to-day. I never saw her flogged in Bath.

his
JAMES × STERLING
mark.

The foregoing depositions of Betsey Lucan, John Mendes, William Bennett, and James Sterling were taken and sworn to before me this 28th day of September, 1866, at the parish of Saint Thomas in the East.

D. EWART, S.M.

The foregoing depositions are true and faithful copies of the original depositions taken.

S. COOKE, Clk. of the Peace,
Saint Thomas-in-the-East, Jamaica.

Sub-enclosure 7 to Enclosure in No. 10.

Jamaica SS.
Parish of St. Thomas in the East. }

The information and complaint of Jack MacTarvish, of the parish of St. Thomas in the East, in the county of Surry, and island aforesaid, made and taken on oath before the undersigned, one of Her Majesty's Justices of the Peace in and for the said parish of St. Thomas in the East aforesaid, this day of October, in the year of our Lord 1866, who saith that on the 18th day of October in the year 1865, one William Pitt Kirkland, of the said parish of St. Thomas-in-the-East, with force and arms, at the said parish and within my jurisdiction, in and upon the said Jack MacTarvish did make an assault, and him the said Jack MacTarvish then beat, wound, and illtreat, thereby then occasioning

actual bodily harm to the said Jack MacTarvish, against the form of the Statute in such case made and provided, and against the peace of our Lady the Queen, her Crown and dignity; and hereupon the said complainant prays that the said William Pitt Kirkland may be summoned to answer unto the said complaint, according to law.

Taken and sworn to before me, at the parish aforesaid, this 2nd day of October, 1866, the said information having been first read over and explained to the informant.

This information was tendered by me to Jack McTarvish, who, after some demur, signed and swore to it; but afterwards requested Mr. Justice Harrison to cancel it, saying he did not wish to proceed against Mr. Kirkland.

R. DRYSDALE,
Witness D. G. Sergt. of Police.

Sub-enclosure 8 to Enclosure in No. 10.

Jamaica SS.
Parish of St. Thomas in the East. } The Queen against James Codrington.

The Examination of Margaret Minott, of the parish of St. Thomas in the East, and of Nathaniel Dick and Charlotte Scott respectively of the said parish, taken on oath on the 4th day of October, in the year of our Lord 1866, at the said parish, before the undersigned David Ewart, Esquire, one of Her Majesty's Justices of the Peace in and for the said parish, in the presence and hearing of the said James Codrington, who is charged this day before me, for that he the said James Codrington on the 18th day of October, in the year of our Lord 1865, at the parish aforesaid, in and upon one Margaret Minott did make an assault, and her the said Margret Minott did then beat, wound, and illtreat, thereby occasioning to the said Margaret Minott actual bodily harm, and other wrongs to the said Margaret Minott then did, to the great damage of the said Margaret Minott, against the form of the Act in such case made and provided, and against the peace of our Lady the Queen, her Crown and dignity.

Margaret Minott, on her oath, saith as follows:—

I live at Rural Hill, on Cog Hall, and I was a domestic servant of Mr. Hinchelwood's. On the 18th of October last year, during martial law, on that day I was taken by constable Donaldson Panton before Mr. James Codrington, at Mr. David Mein's shop, in this parish. He never asked me a question, but called Nathaniel Dick and told him to tie me, to have me flogged. Dick and John Bignall tied me to a cart wheel. Mr. James Codrington told them to tear off my clothes and make me naked to my waist. Defendant then ordered Alick Cooper to flog me, to give me 20 lashes. Alick Cooper then gave me 20 licks on my bare back with a long guava stick. Defendant stood by and counted the licks. The first stick broke and they took another. My back bled, and defendant threw a mug of pickle over it. It burned me.

her
MARGARET × MINOTT
mark.

Nathaniel Dick, on his oath saith as follows:—

I am a labourer, and live at Rose Garden. I know Margaret Minott. In October last year, during martial law, defendant sent me and Donaldson Panton to bring Margaret Minott before him at Mein's shop. He did not tell us what for. We took her before him. He did not try or examine her, but ordered Alick Cooper to tie her to a cart wheel to be flogged. I was ordered by a constable to tie her, and I did to the cart wheel, and defendant ordered Alick Cooper to flog her, and Alick Cooper did flog her with a guava switch, and she bled, and defendant threw a mug of salt pickle on her back.

his
NATHANIEL × DICK
mark.

Charlotte Scott, on her oath saith as follows:—

I am a labourer, and live at Long Bay. On Wednesday the 18th of October last year I was at Mein's shop, and saw Margaret Minott brought there to James Codrington. He ordered Nathaniel Dick to tie her against a cart wheel. She was tied, and he ordered Alick Cooper to flog her. He ordered her to be stripped to the waist. It was done, and Alick Cooper gave her 20 lashes with a guava stick on her bare back. She bled, and defendant threw a mug of shad pickle on her back.

her
CHARLOTTE × SCOTT
mark.

The foregoing depositions of Margaret Minott, Nathaniel Dick, and Charlotte Scott were taken and sworn to before me this 4th day of October 1866, at the parish of Saint Thomas in the East.

D. EWART, S.M.

The foregoing depositions are true and faithful copies of the original depositions taken.

S. COOKE, Clk. of the Peace,
St. Thomas in the East, Jamaica.

JAMAICA.

Sub-enclosure 9 to Enclosure in No. 10.

Jamaica, S.S.
Parish of St. Thomas-in-the-East } The Queen against James Codrington.

The examination of Ann Galloway, of the parish of St. Thomas-in-the-East, and of Daniel Biggerstaff and Charles Hunter respectively, of the said parish, taken on oath on the 4th day of October, in the year of our Lord 1866, at the said parish, before the undersigned Daniel Ewart, Esquire, one of Her Majesty's Justices of the Peace in and for the said parish, in the presence and hearing of the said James Codrington, who is charged this day before me, for that he, the said James Codrington, on the 18th day of October, in the year of our Lord 1865, at the parish aforesaid, in and upon one Ann Galloway did make an assault, and her the said Ann Galloway did then beat, wound, and illtreat, thereby occasioning to the said Ann Galloway actual bodily harm, and other wrongs to the said Ann Galloway then did, to the great damage of the said Ann Galloway, against the form of the Statute in such case made and provided, and against the peace of our Lady the Queen, her crown and dignity.

Ann Galloway, on her oath, saith as follows:—
I live at Manchioneal, and am a labourer. On Wednesday, the 18th day of October last year, I was taken by Charles Hunter before defendant at Long Bay, in this parish, and he ordered Daniel Biggerstaff to give me 35 lashes. He did not try me or examine me at all. Defendant made Biggerstaff drop my clothes and made me naked to the waist, and he told Biggerstaff to tie me to a wain wheel, and he did so, and Defendant told Biggerstaff to flog me, and Biggerstaff did so on my bare shoulders with a guava stick; Defendant was standing by. My back bled, and Defendant washed it with salt pickle; it burned me. I was in the "family way," and I was sick for two months and two weeks after the flogging.

her
ANN × GALLOWAY
mark.

Daniel Biggerstaff, on his oath, saith as follows:—
I live at Long Bay, and am a rural constable. I recollect Wednesday, the 18th of October last year. I saw Ann Galloway that day brought to Long Bay by Charles Hunter, and put before defendant; defendant ordered her to be tied, and I did so to a chaise wheel; defendant ordered me to drop her clothes to her waist, and I did so; then he told me to give her 25 lashes, and I did so with a guava switch; her back raised, and defendant took salt pickle and washed it, that is, he made Robert Franklin do it. I did not hear why he flogged her. She was not tried. Defendant stood by whilst I flogged her.

his
DANIEL × BIGGERSTAFF
mark.

Charles Hunter, on his oath, saith as follows:—
I am a freeholder at Rural Hill in this parish. I took Ann Galloway before the defendant on the 18th of October last year. I took her up because she was trespassing on my property. I had no other charge against her. I told defendant I had taken her upon my property, but that I found nothing on her. I bring her down to you. Defendant said he would give her a flogging. I then went away.

his
CHARLES × HUNTER
mark.

The foregoing depositions of Ann Galloway, Daniel Biggerstaff, and Charles Hunter were taken and sworn to before me, this 4th day of October, 1866, at the parish of Saint Thomas-in-the-East.

D. EWART, S. M.

The foregoing depositions are true and faithful copies of the original depositions taken.

S. COOKE, Clerk of the Peace,
St. Thomas-in-the-East, Jamaica.

Sub-enclosure 10 to Enclosure in No. 10.

Jamaica, S.S.
Parish of St. Thomas-in-the-East } The Queen against John Woodrow.

The examination of Fanny Taylor, of the parish of St. Thomas-in-the-East, and of James Gordon, John Murray, Laurence F. Smith, Peter James Espeut, Elizabeth Mullett, John Lindsay, and Francis Green respectively, of the said parish, taken on oath on the 5th day of October, in the year of our Lord 1866, at the said parish, before the undersigned David Ewart, Esquire, one of Her Majesty's Justices of the Peace in and for the said parish, in the presence and hearing of the said John Woodrow, who is charged this day before me, for that he, the said John Woodrow, on the 30th day of October, in the year of our Lord 1865, at the parish aforesaid, in and upon one Fanny Taylor did make an assault, and her, the said Fanny Taylor, did then beat, wound, and illtreat, thereby occasioning to the said Fanny Taylor actual bodily harm, and other wrongs to the said Fanny Taylor then did, to the great damage of the said Fanny Taylor, agains the form of the Act in such case made and provided, and against the peace of our Lady the Queen, her crown and dignity.

Fanny Taylor, on her oath, saith as follows:—
I live at Valley Road, near Chiego-foot Market. I am a labourer; during martial law I was at Leith Hall in this parish. I was at the Great House, attending to the troops. On the last Monday in October, a man named "Green," who is my sweetheart, was in custody there and made his escape.

When James Gordon, a constable, said he must take me in charge, because I saw Green going away, and did not tell. John Lindsay and John Murray took me in charge, and Mr. Woodrow, the defendant, saw them take me, and said they must flog me. Then John Murray took me to the flogging stand and tied my hands and feet to it. Gordon ordered me to drop my frock, saying if I did not do so they would tear it off. I did so, and was naked to the waist. Then Mr. Woodrow said, Flog away man. I cried out, Do, Massa. I never see the man when he was going away; but Mr. Woodrow said, Flog away, and then Murray took the cat and flogged me. I remember 25 lashes; Mr. Woodrow stood by and saw it. There were no soldiers nor Maroons at Leith Hall at the time. I was not tried at all. My back bled and swelled, and I suffered great pain for some two weeks after. Mr. Lawrence F. Smith, Mr. Espeut, Matthew Scott, Thomas Edwards, James Wright, and Elizabeth Mullet were present when Mr. Woodrow gave the order to flog me, and when I was flogged.

her
FANNY × TAYLOR
mark.

James Gordon, on his oath, saith as follows:—

I am a carpenter and reside at Port Morant. On the last Monday in October last year I was at Leith Hall as a constable during martial law. I believe it was on that day that a man named "Green," a prisoner, got away, and Fanny Taylor was said to have seen Green escape, and said nothing. Whereupon I ordered the constables to take Fanny Taylor in charge. She was taken, and Mr. Woodrow, the defendant, ordered her to be flogged. I did not see any trial. John Murray and John Lindsay took her to the Bell Post, and tied her hands and feet, and Mr. Woodrow ordered 25 lashes to be given to her with a cat made of twine, a regular naval cat. John Murray gave her the 25 lashes with the cat, Mr. Woodrow looking on. Her shoulders were bare, and blood came. No soldiers nor Maroons were at Leith Hall at the time. We were obliged to obey Mr. Woodrow's orders, for he wanted to cat myself.

Cross-examined.—It was you who ordered the woman to be flogged. It was not me. I ordered her to be taken up.

his
JAMES × GORDON
mark.

John Murray, on his oath, saith as follows:—

I live at Leith Hall, and am head man there. I was there during martial law, and protected the place. I know Fanny Taylor. I flogged her by Mr. Woodrow's orders during martial law at Leith Hall; it was in October. Mr. Woodrow looked on whilst I flogged her. I flogged with a cat made by soldiers out of twine. The handle was an umbrella stick; it brought blood. I flogged her on her bare shoulders. I and John Lindsay tied her to a post, first by Mr. Woodrow and James Gordon's orders.

Cross-examined.—You were at Leith Hall, giving orders about flogging, for two or three days.

his
JAMES × MURRAY
mark.

Lawrence F. Smith, on his oath, saith as follows:—

I am overseer at Leith Hall. I saw Fanny Taylor during martial law at Leith Hall in this parish. I did not hear the order given to have her flogged. No military nor Maroons were at Leith Hall that day. Mr. Woodrow was there, but I don't recollect his giving any orders. He saw her flogged. I did not order her to be flogged, and I can't tell who ordered her to be flogged. Mr. Woodrow was visiting me as a friend. I did not inquire by whose orders she was flogged.

Cross-examined.—Gordon found out that Green had escaped, or I think the guards told Gordon. I mean by guards people protecting the property.

LAWRENCE F. SMITH.

Peter James Espeut, on his oath, saith as follows:—

I am book-keeper on Serge Island Estate, and during martial law I was at Leith Hall Estate. I saw Fanny Taylor flogged during martial law at Leith Hall in October last year by John Murray, with a cat. I saw her tied up to the post, and I asked what they were going to do with her? James Gordon answered, Mr. Woodrow ordered her to be flogged as she was present when "Green" escaped, and did not tell. Mr. Woodrow was up stairs, about 15 yards from Gordon, when Gordon and others told me this. Mr. Woodrow was looking out of the window and was near enough to have heard what Gordon told me. He made no remark on what Gordon told me, and the woman was flogged in his presence. I did not order her to be flogged. Mr. Smith was in charge of the estate. It was not given over to the constables. Other people were flogged that same day at Leith Hall for allowing Green to escape, but I don't know by whose orders.

PETER JAMES ESPEUT.

Elizabeth Mullet, on her oath, saith as follows:—

I am a house domestic and reside at East Prospect in this parish. I saw Fanny Taylor flogged at Leith Hall during martial law. Mr. Woodrow ordered her to be flogged. I heard it. He was present. He was up stairs looking through the window when she was flogged.

her
ELIZABETH × MULLET
mark.

John Lindsay, on his oath, saith as follows:—

I live at East Prospect in this parish, and am a cooper. I know Fanny Taylor; she was flogged at Leith Hall in October last year during martial law, with a cat, by John Murray. Mr. Woodrow said

Jamaica. to flog her. She is the man's sweetheart. She saw him going away and would not tell, and John Murray flogged her. Mr. Woodrow was present when she was flogged.

his
John × Lindsay
mark.

Francis Green, on his oath, saith as follows:—
I live at Blue Mountain Valley in this parish, and am a planter. I hire land. On the 30th of October I made my escape from Leith Hall. Fanny Taylor, my sweetheart, was there at the time. She did not assist me, nor did she see me when I was escaping. I was charged by Elizabeth Mullet with preventing search on Prospect for articles stolen from "The Baron." This was not true; but I was taken before Mr. Woodrow, the defendant, at Leith Hall, the same time, the 30th, and he ordered me to be taken down to Morant Bay.
Cross-examined.—I saw you there giving orders to flog people, for I was on guard there.

his
Francis × Green
mark.

The foregoing depositions of Fanny Taylor, James Gordon, John Murray, Lawrence F. Smith, Peter James Espeut, Elizabeth Mullet, John Lindsay, and Francis Green, were taken and sworn to before me this 5th day of October 1866, at the parish of Saint Thomas-in-the-East.

D. Ewart, S.M.

The foregoing depositions are true and faithful copies of the original depositions taken.

S. Cooke, Clerk of the Peace,
St. Thomas-in-the-East, Jamaica.

Sub-Enclosure 11 to Enclosure in No. 10.

Jamaica, S.S.
Parish of St. Thomas-in-the-East. } The Queen against David Winton.

The examination of William Ennis, of the parish of St. Thomas-in-the-East, and of James Wright, Elizabeth Mullet, James Gordon, Peter James Espeut, Joseph Briscoe, Edward Rose Roberts, and George Bernard, respectively of the said parish, taken on oath on the 4th, 5th, and 8th days of October, in the year of our Lord 1866, at the said parish, before the undersigned David Ewart, esquire, one of Her Majesty's Justices of the Peace in and for the said parish, in the presence and hearing of the said David Winton who is charged this day before me for that he the said David Winton, not having the fear of God before his eyes, but being moved and induced by the instigation of the Devil, on the 30th day of October, in the year of our Lord 1865, at the parish aforesaid feloniously, wilfully, and of his malice aforethaught, did kill and murder one William Cargill, against the peace of our Lady the Queen, her crown and dignity.
William Ennis, on his oath, saith as follows:—
I live at Leith Hall, in this parish. I am a labourer. I remember martial law in this parish. I was made a special constable and acted as one. I knew a man by the name of "William Cargill;" he was a labourer and a black man. He is dead. He was shot; I saw him shot. I saw him dead. He was shot in October last year on Leith Hall estate; it was during martial law. He was a young man. He was shot by Briscoe's Maroons. Briscoe gave the Maroons orders to shoot him. I heard Briscoe give the order. Twelve Maroons shot him. Briscoe is a captain of Maroons. He was a captain that day. He was the only Maroon officer there that day. It was about 3 o'clock on a Friday afternoon, they fetched him from the Buckra House on Leith down to the last pillar of the Trash House to go near the water. Colonel Fyfe was not there that day. I did not say before the Royal Commissioners that Colonel Fyfe was there that day. There were about ten persons present besides the Maroons. There was a body of Maroons present. There were no soldiers present. Elizabeth Mullet and James Wright were present and saw Cargill shot; and when Briscoe gave the order to shoot, James Newland, Benjamin Smith, Charles Doyle, Charles Kelly, Dennis Barclay, and an African were shot that day. Cargill was a constable, and brought James Newland in custody to Leith Hall that day, ; and then the prisoner "David Winton," told the Maroons to make Cargill a prisoner for he was a rebel. He told this to Briscoe. Directly Briscoe called out 12 Maroons and told them to take Cargill and get him shot, because he was a rebel. They made no turn but took him down directly and shot him. Briscoe went with them and gave the order to fire. Winton did not go with them, but stood up at the Great House, leaning on Briscoe's horse, and saw Cargill shot. I was at the Buckra house when Winton told Briscoe to take Cargill. I followed half down the hill and saw him shot. Mr. Winton had nothing more to do with the shooting of Cargill. Winton was then a bookkeeper on Oxford Estate when he told Briscoe to make Cargill a prisoner. He said Cargill had chased him from his breakfast at Oxford with a cutlass, and that he was a rebel; he said nothing more to Briscoe. No one told Briscoe to shoot Cargill. I quite forgot, Winton did tell Briscoe to shoot Cargill. I heard it with my own ears. Winton was at the front door steps, near the porch. I was up there too. They did not try Cargill or any other whom I saw shot. Cargill was the last man shot that day; the others were shot in the morning. Newland was shot about half an hour before Cargill, not in the morning they shot Cargill after they put him aside, when they were going to shoot Newland. It was Briscoe who said to the Maroons who shot Cargill "Fire." I am sure of that, my own ears heard it. Mr. Winton did not use the word Fire at all, only Briscoe. Mr. Winton did not use the word shoot, only said, Make him a prisoner. Mr. Winton did tell Briscoe to shoot Cargill.

Cross-examined.—I heard you order Briscoe to shoot Cargill when he was standing at the door of the place where the prisoners were kept.

his
WILLIAM × ENNIS
mark.

James Wright, on his oath, saith as follows:—

I live at Leith Hall and am a baker, but now I am a liver on the estate. I knew William Cargill; he was a black man, a labourer. He is now dead. I was present when he was shot by the Maroons at Leith Hall, in October last year, during martial law. I was then a special constable on the estate. I was in the overseer's house keeping guard that same day, and part of the day Winton came there, and Cargill went out into the village with other constables to bring in prisoners. He brought a prisoner named James Newland, and took him to the Great House. About two hours afterwards I saw him coming out of the place where prisoners were kept, with his hands tied behind him, and the Maroons, about 12, around him. I did not hear Mr. Winton say anything about Cargill. Captain Briscoe gave command to march him down to the Trash House, to have him shot. He was placed against the last pillar of the Trash House and was shot by the Maroons. I did not hear who gave the order to fire. William Ennis, the last witness, was there. I did not hear Mr. Winton order the Maroons to shoot Cargill.

his
JAMES × WRIGHT
mark.

Elizabeth Mullet, on her oath, saith as follows:—

I live at East Prospect in this parish and am a domestic servant. I knew William Cargill. I saw him shot at Leith Hall on a Wednesday evening in October last year, during martial law. I am quite certain it was on a Wednesday. He was shot by the last pillar of the Trash House, by a party of Maroons commanded by Briscoe, who gave them the word, "fire." The prisoner "Winton," was along side of Briscoe, and Espeut and Gordon in the Trash Yard when Bruce said the word. I did not hear Winton give any order at all about the shooting of Cargill. Briscoe said, Are you ready, Winton said Present, and Briscoe said "Men, fall out and do your duty. Fire," and then they fired immediately.

her
ELIZABETH × MULLET
mark.

The foregoing depositions of William Ennis, James Wright, and Elizabeth Mullet were taken and sworn to before me, this 4th day of October, 1866, at the parish of Saint Thomas-in-the-East.

D. EWART, S.M.

James Gordon, on his oath, saith as follows:—

I live at Port Morant in this parish, and am a carpenter. I knew a man by the name of William Cargill; he was black man; he was shot in October last year, during martial law. I saw him shot at Leith Hall in this parish. Captain Briscoe, of the Maroons, ordered him to be taken in charge and to be shot. I was chief constable at Leith Hall at the time. Cargill was a pressed constable. Captain Briscoe, who was along with other Maroon officers holding a court martial in the house, ordered me to take Cargill in charge. I took him and carried him to the front door of the house before Captain Briscoe, Major Roberts, and Lieut. Bernard, and some other gentlemen who were holding a court martial. They held a court martial against him. Mr. Winton was there. I heard no evidence given against Cargill; but the Maroons were talking, and Captain Briscoe said to me, Take him away and have him shot. I took Cargill down the steps, and took him away to the Trash House corner, and Captain Briscoe ordered about 10 men to shoot Cargill. Nobody else said to shoot Cargill but Captain Briscoe. Mr. Peter James Espeut was sitting down with the court martial, and was present when Briscoe said to take Cargill away and have him shot. Briscoe, Rose Roberts, Bernard, and all the Maroons went down from the house to where Cargill was shot. Captain Briscoe gave the word to fire. I recollect James Newland was shot the same day. I believe Cargill brought him in, but I don't recollect which of them was shot first. I saw Newland tried by the Maroon court martial the same day Cargill was tried. I heard witnesses give evidence against James Newland, and afterwards he was ordered to be shot.

his
JAMES × GORDON
mark.

Peter James Espeut, on his oath, saith as follows:—

I am a bookkeeper on Serge Island estate in this parish. During martial law I was employed on Leith Hall estate. I knew a black man named Cargill; he was shot by the Maroons at Leith Hall in October last year. I saw him taken down to the Trash House in Leith Hall to be shot. There were a body of Maroons at Leith Hall that day; the officers were Briscoe, Roberts, and others. About 1 o'clock Mr. Winton rode in, came into the house where the Maroons, myself, and Mr. Lawrence F. Smith were, and said that man "Cargill," threatened the life of the "Baroness" at Oxford. The Maroons thereupon enquired of Mr. Winton about Cargill, and then they held a court martial, but I was not present. After this I saw Cargill being taken by Gordon down the hill, and some Maroons followed with guns. Briscoe was with them on horseback; and then I heard a volley, and learned that Cargill was shot.

PETER JAMES ESPEUT.

The foregoing depositions of James Gordon and Peter James Espeut, were taken and sworn before me this 5th day of October 1866, at the parish of Saint Thomas in the East.

D. EWART, S.M.

JAMAICA.

Joseph Briscoe, on his oath, saith as follows —

I live at Moore Town, and am captain of the Maroons. I was at Leith Hall for three day during the rebellion, in command of a party of Maroons. During those three days I recollect executions by shooting at Leith Hall by the Maroons under Major Rose Roberts' orders. I was present at all the executions. I don't recollect how many there were. I do not recollect the names of the men executed; they were strangers to me, and we kept no memorandum in writing about it. The executions were only on two days out of the three we were there. The only name that I recollect is Barclay. The major made a return to Colonel Fyfe of these executions. I remember James Newland, of Prospect, was the name of one of the men executed. I don't recollect the name of William Burke, nor Charles Kelly, nor Charles Doyle, nor Dennis Barclay, nor Benjamin Smith, nor William Cargill. Major Roberts and Lieut. Bernard were also at Leith Hall on those three days. We had an examination of all the prisoners before they were shot. We, the officers, held the examination or court martial of our sort, and we ordered them to be shot. We had no Bible, nor pen and ink. We did not swear witnesses, but we examined the cases carefully, and sometimes went to see what the prisoners had done. We shot no one into whose case we had not examined. I commanded all the firing parties according to the command of the major. Besides those cases into which we examined, we shot other prisoners that Mr. Woodrow sent in; we shot them by Mr. Woodrow's orders. No one gave orders to shoot prisoners besides Mr. Woodrow. Newland and Barclay were tried by us. I do not recollect the names of any Mr. Woodrow ordered us to shoot. Not one man was shot at Leith Hall without my ordering the firing party. I saw the prisoner, Mr. Winton, once at Leith Hall during those three days. He never gave any orders to shoot any one. I don't remember his giving evidence against any man we shot.

JOSEPH BRISCOE.

Edward Rose Roberts, on his oath, saith as follows:—

I live at Moore Town, and am major of Maroons. In October last year during martial law, I was at Leith Hall in command of a party of Maroons. Captain Briscoe and Lieut. Bernard were officers under me. A few people were shot by the Maroons by Mr. Woodrow's orders. I asked Mr. Woodrow no questions, but shot them when he told me. Two men were shot by us after trial by us. I don't know their names. We shot about five altogether. I don't know their names. We shot about five altogether. I don't know the names of those we shot by Mr. Woodrow's orders. We reported those cases to Colonel Fyfe, but we did not tell him that we shot any by Mr. Woodrow's orders. I don't remember ever seeing the prisoner at Leith Hill House. He never gave me any orders about shooting any body. I don't remember his ever giving evidence against anybody that was shot. I would not have shot anybody by his orders. I attended to Mr. Woodrow's orders, because I believe he had the power to order it.

his
EDWARD ROSE × ROBERTS
mark.

George Bernard, on his oath, saith as follows:—

I live at Moore Town, and am a lieutenant of Maroons. I was at Leith Hall in October last year with a party of Maroons under the command of Major Roberts. We shot a few people there under orders from Mr. Woodrow. I never tried any prisoners. I can't say whether the major or the captain did. I don't recollect that William Cargill was the name of one of the men shot. I never saw the prisoner at Leith Hall.

GEORGE BERNARD.

The foregoing depositions of Joseph Briscoe, Edward Rose Roberts, and George Bernard, were taken and sworn to before me this 8th day of October 1866, at the parish of Saint Thomas in the East.

D. EWART, S.M.

The foregoing depositions are true and faithful copies of the original depositions taken.

S. COOKE, Clerk of the Peace,
St. Thomas in the East, Jamaica.

Despatches from the Secretary of State.

No. 1.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 40.)

SIR, Downing Street, August 30, 1866.

WITH reference to my predecessor's Despatch, No. 161,* of the 31st of May, and to that paragraph of his Despatch, No. 173,† of the 18th of June, in which he intimated to Sir H. Storks that he had communicated to the Secretary of State for War and the Lords Commissioners of the Admiralty copies of the Report of the Royal Commission of Inquiry into the affairs of Jamaica, I transmit to you, for your information, copy of a correspondence with the War Office and the Admiralty.

I have, &c.

Governor Sir J. P. Grant, K.C.B., &c. &c. &c. (Signed) CARNARVON.

* Vide Papers presented 10 Aug. 1866, page 103.
† Vide Papers presented 18 June 1866.

War Office to Colonial Office, 20th June, and Admiralty, 18th June.
War Office, 4th July.
Admiralty, 5th July.
Admiralty, 6th July.
Colonial Office to War Office, 24th July.
Encl. in No. 23.

Enclosure in No. 1.

SIR, War Office, June 20, 1866.

WITH reference to your letter of the 30th ultimo, calling attention to the cases of alleged shooting of three men by a detachment of the 1st West India Regiment under Ensign Cullen, and of a person named W. Grey by Staff Assistant-Surgeon Morris, alluded to in the Report of the Royal Commission of Inquiry into the disturbances in Jamaica, I am directed by the Marquis of Hartington to request that you will acquaint Mr. Secretary Cardwell that the Field Marshal Commanding-in-Chief caused instructions to be sent by the mail of the 1st instant to the General Officer Commanding at Jamaica, for the purpose of instituting immediate inquiry into the cases in question, as suggested by Mr. Cardwell.

I have, &c.

Sir Frederic Rogers, Bart. &c. &c. &c. (Signed) EDWARD LUGARD.

SIR, Downing Street, June 18, 1866.

I AM directed by Mr. Secretary Cardwell to request that you will lay before the Secretary of State for War [Lords Commissioners of the Admiralty] the enclosed copy of the Report of the Royal Commission of Inquiry into the circumstances connected with the recent disturbances in Jamaica, together with a copy of a Despatch in which Mr. Cardwell has conveyed to the Governor of the Island the decision of Her Majesty's Government on the various matters to which the inquiry has been directed.

I have, &c.

The Under Secretary of State, War Office, and The Secretary to the Admiralty. (Signed) FREDERIC ROGERS.

SIR, War Office, July 4, 1866.

I AM directed by the Marquis of Hartington to acknowledge the receipt of your letter of 18th ultimo, transmitting copy of Report of the Jamaica Royal Commission, 1866, and to acquaint you, for the information of Mr. Secretary Cardwell, that his Lordship has forwarded the Report in question to the Field Marshal Commanding-in-Chief, calling his Royal Highness's attention to "comments on punishments inflicted" (at page 26 of the Report), in so far as the conduct of the officers of the army is affected by the transactions referred to.

I have, &c.

Sir Frederic Rogers, Bart. Colonial Office. (Signed) EDWARD LUGARD.

SIR, Admiralty, July 5, 1866.

I HAVE laid before my Lords Commissioners of the Admiralty your letter of the 18th June last, forwarding a copy of the Report of the Royal Commission of Inquiry into the circumstances connected with the recent disturbances in Jamaica, together with a copy of a Despatch in which Mr. Secretary Cardwell has conveyed to the Governor of the Island the decision of Her Majesty's Government on the various matters to which the inquiry has been directed.

My Lords have given the most careful consideration to these documents, especially in so far as they relate to the proceedings of naval officers concerned in the suppression of the rebellion. They

* Vide Papers presented 10 August 1866 (p.) † Vide Papers presented 18 June 1866.

JAMAICA.

consider the military measures adopted by the naval officers at the outbreak of the rebellion deserving of their commendation and approval. They have hitherto refrained from conveying the expression of their satisfaction to the officers engaged in the operations, but now that the Report of the Commission is terminated they propose to direct Sir James Hope to convey to these officers the approval of the Board.

A copy of the Despatch, before being sent to Sir James Hope, will be communicated to the Secretary of State for the Colonies.

With regard to the proceedings of the naval officers detached from their ships, in command of seamen and marines for duty on shore, my Lords desire to make the following remarks.

These officers were necessarily young and inexperienced in the conduct of such operations; no definite and detailed instructions were given them for their guidance, and their minds were necessarily acted upon by the alarm and excitement which everywhere prevailed around them. In the majority of cases in which punishments were awarded and sentences carried out under the orders of naval officers during the prevalence of martial law, the proceedings of the courts-martial over which they presided, or of which they were members, were submitted for confirmation and approval to superior military authority.

This was notably the case in the trial of George William Gordon, which was presided over by a naval officer. The proceedings and sentence, and its execution, received the confirmation and approval of the Major-General and the Governor of the Island. With regard to other acts committed by naval officers under the authority of military law, when left as they were to the exercise of their own judgment, my Lords will not fail to express their reprehension of any acts of cruelty or needless severity.

Looking to the very difficult position in which these young officers were placed, away from the superior officers to whom they were accustomed to look for instruction, my Lords do not deem it necessary to order any further steps to be taken.

Since the occurrence of these events my Lords have caused to be prepared, by the advice of the proper law officers, regulations for the guidance and instruction of officers when employed on shore in aid of the military and naval services.

These regulations, of which a copy is herewith enclosed, have been furnished to naval commanders-in-chief, with directions that they may be strictly attended to, should occasion arise; and my Lords trust that they will prevent the commission in future of irregularities and excesses in the performance of any similar operations which Her Majesty's naval officers may be called upon to perform.

I am, &c.
(Signed) W. G. ROMAINE.

Sir Frederic Rogers, Bart.
Colonial Office.

MEMORANDUM relative to Parties landed from Her Majesty's Ships for the Suppression of Disturbances, or otherwise, in British Colonies and Settlements.

1st. The following supernumeraries are to be landed in addition to the numbers given in the "Gunnery Instructions, Part No. 2."

Assistant surgeon	1	
Sick berth attendant	1	
Armourer or armourer's crew	1	Per Company of 50 Men.
Bearers, with stretcher	2	
To carry spare small arm ammunition at the rate of 30 rounds per man landed	4	

Supernumeraries for the marines are to be landed in the same proportion.

2d. When the party is quartered ashore permanently, the following are to be landed in addition to those above shown:—

Assistant Paymaster	1
Ship's steward's assistant or boy	1
For duty as cook	1

And such further additions may be made as shall on experience be found requisite for the discipline and efficiency of the party.

3d. When quartered permanently ashore the men are to take their hammocks, bags, and mess traps with them, their quarters are to be provided with such things as are requisite for their health, cleanliness, and comfort; and any articles absolutely necessary for the purpose may be purchased in the event of there being no civil or military authority from whom they can be procured.

An account is to be kept by the Assistant Paymaster of all such purchases, in order to the recovery of the purchase money from the Colony, and on turning over, the quarter's receipts are to be taken for all articles so purchased from the authority to whom the quarters are delivered.

The party is also in this case to be victualled from the ship by the Paymaster, by whom all purchases are to be effected under the sanction of the Senior Officer of the party.

4th. Should a party be ordered to march into the interior, the Commanding Officer is to apply to the senior Military Officer on the spot to direct the Commissariat Officer in charge of the district to ration it.

Should this be impracticable the rationing of the party is to be conducted by the Assistant Paymaster, under direction of the Officer in command, care being taken that the quantities issued are in strict accordance with the scale of victualling of the service, and that the prices charged are reasonable.

5th. An account is to be kept of all purchases in the form annexed, proper receipts are to be taken for all payments, and all bills are to be noted to be presented on board the ship for payment within seven days, and are to be settled before the ship leaves the anchorage.

All accounts, vouchers, &c. are to be in triplicate; two to be forwarded to me, and the third to be retained for reference on board the ship.

If the party is required to march into the interior the Commanding Officer is to require the civil authorities to supply it with sufficient carriage to convey—

I. The spare ammunition, stretchers, and surgeon's equipment.
II. The clothing, of which every man is to have one complete change, besides his blanket; one suit to be blue.
III. Such provisions as are requisite.
IV. Spare carriage for sick.

Care is to be taken that the party is invariably housed at night, and that the men are not allowed to sleep out in the dew.

A supply of quinine is to be taken for issue in the morning; and the party is invariably to breakfast before it marches.

INSTRUCTIONS for the Guidance of Officers and Party when the Ordinary Law prevails.

7th. If called upon to act for the suppression of riots or other disturbances when the Ordinary Law prevails, the following precautions are to be strictly observed:—

I. The party is to be employed only on the requisition of the civil authority.
II. The party is not to act without the presence of the civil authority, except for purposes of self-defence, or the prevention of actual violence to the persons or property of Her Majesty's subjects.
III. The party is to fire only by order of the Officer in command.
IV. Notice is invariably to be given that the fire will be effectual.
V. The party is to be divided into four sections, of which two are always to keep their arms loaded.
VI. Care is to be taken, as far as may be possible, that innocent persons do not suffer by the direction of the fire.
VII. In case of riot the mob is never to be allowed to close within fifty yards of the party, and if a charge is required it is to be made only by half the party, the other half being moved up in reserve.
VIII. If it is requisite to take up a position for defence care is to be taken not to place the party in any building which can be fired, or in any position which can be overlooked, and proper precautions are to be taken on the march to prevent surprise.
IX. The Senior Officer, if not present, is to be kept fully informed of the proceedings of the party, and of all circumstances necessary for his knowledge, and he is to transmit all important information to the Commander-in-Chief.

8th. In regard to command, Art. 2, page 45 of the Admiralty Instructions is to be adhered to, observing, however, that when the public service renders such a course advisable the naval and military forces may be placed under one command—naval or military, as most expedient.

INSTRUCTIONS to the Commanding Officer of a Party landed when Martial Law has been proclaimed.

9th. If martial law should be proclaimed in any district you are then to follow the directions of the Officer appointed to the military command of the district.

10th. The arbitrary will of such Officer in such case supersedes the ordinary Law for the time being in the same manner and degree as it would if the district placed under martial law were an enemy's country.

11th. You are to require directions in writing from the Officer in military command of the district under martial law as to your conduct in all matters of importance, especially in regard to the treatment of prisoners taken by you, whether they be taken in the actual commission of violence against the persons or property of Her Majesty's subjects, or under other circumstances.

12th. It is competent for the Officer in military command of the district under martial law to order prisoners to be brought to trial in a summary manner before a Council, to be named as he may direct.

13th. If you are to preside over any such Council, usually termed a Court-martial, although not necessarily constituted under the provisions of the Mutiny Act, you are to request instructions in writing from the Officer in military command of the district, and you are not to carry into execution any sentence of such Council, whether of death or otherwise, without being empowered so to do in writing by such Officer.

14th. You will take minutes in writing, if employed on any such Council, and you will require such of your Officers as may be so employed to take minutes in writing of all the proceedings and evidence, to be communicated to your Commander-in-Chief for his information.

15th. You will take care, if so employed, and you will direct your Officers, when so employed, and apply for the assistance, if possible, of a legal adviser.

16th. In case it shall not be practicable to obtain directions in writing from the Officer in military command of the district, you will endeavour to obtain directions in such mode as will admit of no subsequent doubt as to their tenor, and shall commit them as soon as possible, if practicable, to writing.

17th. Under no circumstances are houses or property to be destroyed, except under the exigencies of military operations or of self-defence, or under an order from the Officer in military command of the district under martial law.

18th. The Officer in command of a party is to keep a journal detailing all his proceedings, a copy of which is to be forwarded for the information of the Commander-in-Chief.

19th. In conclusion, you will observe that these Instructions are framed for your guidance in the absence of specific directions from the Officer in the military command of the district, and you are in all matters relating to operations on shore to follow his directions.

20th. If any directions given by the said Military Officer should conflict with any of these instructions, you are nevertheless to act in accordance with his directions, first bringing to his notice, if possible, these Instructions. You are carefully to weigh the comparative importance of any conflicting instructions you may receive, remembering that you will still be responsible to your Naval Superior for the execution of any orders you may receive from him.

JAMAICA.

SIR, Admiralty, July 6, 1866.

WITH reference to my letter of the 5th instant, I am commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of Mr. Secretary Cardwell, a copy of the Despatch which their Lordships propose to send to Vice-Admiral Sir James Hope, relative to the views they entertain of the conduct of naval officers and men employed in the suppression of disturbances in Jamaica.

I am, &c.

Sir Frederic Rogers, Bart. (Signed) W. G. ROMAINE.
Colonial Office.

SIR, Admiralty, July 6, 1866.

I AM commanded by my Lords Commissioners of the Admiralty to acquaint you, that whilst the inquiry into the circumstances connected with the disturbances in Jamaica in October last was in progress, they abstained from expressing any opinion on the conduct of the officers brought to their notice in your Despatches of the 22nd, 24th, and 26th November, and 8th December 1865, numbered 399, 411, 413, and 434.

My Lords have now received from the Secretary of State for the Colonies the Report of the Royal Commission of Inquiry, and a copy of the Despatch addressed by Mr. Cardwell to Lieut.-General Sir Henry Storks, conveying the decision of Her Majesty's Government on the various matters to which the inquiry has been directed; and, having taken the same into their consideration, my Lords expressed to Mr. Cardwell their general views of the proceedings in a letter dated the 5th instant.

Copies of these documents are herewith enclosed for your information.

Their Lordships now desire to express to you their opinion on the conduct of the individual officers mentioned in the various Despatches.

My Lords have already (in my letter, No. 524, written on the 17th November last, on the receipt of Captain de Horsey's first letter of the 25th October) expressed their approbation of the energy and ability displayed by that officer, and by the officers and men under his command; and their Lordships have had much satisfaction in receiving from Governor Eyre, Brigadier Nelson, and the Legislative Council of Jamaica, further testimony to the good services rendered by the naval forces in assisting to re-establish peace and security in the disturbed districts, which testimony has been duly recorded.

Captain de Horsey, by his excellent arrangements, by the rapid movements of the "Wolverene" and the gunboats under his orders, effected, through the strenuous exertions of his first lieutenant (now Commander Annesley) and the officers and men under him, and by landing parties of seamen, gave the most valuable assistance to the Governor and military officers in their measures for restoring order.

Lieutenants Brand and Oxley are deserving of the highest praise for the zealous and able manner in which they acted in command of their gunboats and of their parties when landed; and my Lords desire particularly to notice the very great energy and ability shown by Lieutenant Oxley in overcoming the obstacles opposed to him in his arduous marches through a difficult country; and they further desire to express to First Lieutenant O'Connor, R.M.A., and to Mr. Terry, Assistant-Surgeon, and the officers and men composing their party, their approbation of the excellent spirit displayed during these trying operations.

My Lords having thus expressed their opinion of the military measures adopted, now turn to the proceedings in which naval officers took part in punishing the disturbers of the public peace, and they regret that they are unable to view those proceedings with the same satisfaction.

My Lords are fully sensible of the very novel and difficult position in which Lieutenants Brand and Oxley were placed, when suddenly called upon to enforce martial law in the proclaimed district, without any instructions, and without the assistance of persons acquainted with the forms or proceedings of courts of justice.

Lieutenant Brand, in the discharge of his duty as president of the courts-martial at Morant Bay, appears to have been actuated by an earnest desire to satisfy himself of the truth or falsehood of the charges brought against the prisoners; but my Lords regret that he should have been satisfied with evidence that in some cases would not have been admitted before any ordinary tribunal, and in others would have been thought insufficient.

The responsibility of carrying into execution the sentences recommended by the courts does not rest with him, since it appears that the whole proceedings were in every case submitted for the consideration of the superior military authority, by whom the orders for carrying the sentences into effect were given.

With regard to the proceedings of Lieutenant Oxley, you have already acquainted that officer with your opinion upon them, and have pointed out the mistakes he committed, and my Lords have only to express their entire concurrence in the views you have expressed.

My Lords desire that you will convey to the officers alluded to in your Despatches this expression of their opinions; and their Lordships trust that the instructions which have been drawn up for the guidance of officers in any similar case that may hereafter occur, and which have been furnished to the officers in command of stations where there are British Colonies, will prevent a recurrence of the errors which their Lordships have now pointed out.

I am, &c.

Vice-Admiral Sir James Hope, G.C.B. (Signed) W. G. ROMAINE.

SIR, Downing Street, July 24, 1866.

LORD Carnarvon has had under his consideration your letter of the 20th ultimo, by which the Secretary of State was informed that the General Officer Commanding in Jamaica had been directed to institute immediate inquiry into the case of three men whom it is alleged were shot by a detachment of the 1st West India Regiment, under Ensign Cullen, and of a man named William Gray, who is also said to have been shot by Staff Assistant-Surgeon Morris. Lord Carnarvon desires me to

express the importance which he attaches to the determination of charges such as these, in which both the honor of the Crown and the credit of English justice are so deeply concerned. JAMAICA.

I am further directed to say, that, having reference to the conflicting nature of the evidence given on each side, and to the fact that the Commission after a patient hearing of the case have recommended a further, and it must be presumed a different form of, inquiry, Lord Carnarvon would submit for the consideration of General Peel and His Royal Highness the Duke of Cambridge, whether it is not due, both to the interests of justice and to the character of the officers concerned, that the investigation should be effected by the simple and conclusive method of a court-martial. The case of Ensign Cullen and Dr. Morris appears to Lord Carnarvon to be the most urgent; but it will be afterwards for the consideration of General Peel and His Royal Highness the Duke of Cambridge whether the same course may not with propriety be adopted in regard to other cases which are adverted to in the Report of the Royal Commission.

Lord Carnarvon further desires me to point out, that by Sir H. Storks's departure from Jamaica the duty of making or directing this inquiry will devolve upon Major-General O'Connor. His Lordship need hardly urge the strong reasons which exist for placing the conduct of such proceedings as are now contemplated in the hands of an officer who is under no responsibility for the measures taken in connection with the recent outbreak, and whose decisions will be free from all suspicion of undue bias.

Lord Carnarvon will be glad to be favoured at the earliest convenient day with an intimation of the course which General Peel and His Royal Highness the Duke of Cambridge think fit to adopt under the circumstances of the case to which he has called their attention.

I have, &c.

The Under Secretary of State, War Department. (Signed) FREDERIC ROGERS.

No. 2.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B. No. 2.

(No. 43.)

SIR, Downing Street, August 31, 1866.

WITH reference to that part of my predecessor's Despatch to Sir Henry Storks, No. 173,* of 18th June, in which he was informed that the Report of the Royal Commission had been communicated to the Secretary of State for War, in respect to the conduct of the military officers employed during the late outbreak in Jamaica, I transmit to you the copy of a letter from the War Office, stating that it had been decided that Ensign Cullen and Staff Assistant-Surgeon Morris should be put on their trial before a court-martial, and that the officers who will compose the court will proceed to the Colony by the mail of the 3d proximo.

* Vide Papers presented 18th June 1866.

I have, &c.

Governor Sir J. P. Grant, K.C.B. &c. &c. &c. (Signed) CARNARVON.

Enclosure in No. 2. Encl. in No. 2.

SIR, War Office, August 25, 1866.

WITH reference to your letter of the 24th ultimo, conveying the views of the Earl of Carnarvon as to the steps which should be taken to investigate the charges affecting the conduct of certain officers of the British army during the recent outbreak in Jamaica, I am directed by Secretary Lieut.-General Peel to acquaint you, for the information of Lord Carnarvon, that, in concurrence with His Royal Highness the Field Marshal Commanding-in-Chief, Lieut.-General Peel has decided that Ensign Cullen and Staff Assistant-Surgeon Morris should be forthwith put upon their trial before a court-martial; and with this view arrangements have been made to send out, by the mail steamer which will leave Southampton on the morning of the 3d proximo, officers to compose the court, together with a deputy judge advocate and a barrister, to assist in the proceedings.

I am to request that Lord Carnarvon will cause the Governor of Jamaica to be informed of these arrangements.

I have, &c.

Sir Frederic Rogers, Bart. &c. &c. &c. (Signed) LONGFORD.

No. 3. No 3.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Lieut.-General Sir H. STORKS, G.C.B.

SIR, Downing Street, September 3, 1866.

I HAVE received your Despatch "Separate,"* of the 10th August, in which you enclose copies of two Addresses which had been presented to you on your departure from

* Vide Papers presented 10th Aug. 1866, page 94.

JAMAICA.

Jamaica, the one from the precinct of St. Catherine and the neighbouring parishes, the other from the citizens of Kingston.

Her Majesty's Government regard with satisfaction the just testimony borne in these Addresses to the spirit in which your administration of affairs had been conducted, and the due appreciation shown of the value of your services to the Colony.

I have, &c.

Governor Sir H. K. Storks, G.C.B. (Signed) CARNARVON,
&c. &c. &c.

No. 4.

No. 4.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Lieut.-General Sir H. STORKS, G.C.B.

SIR, Downing Street, September 4, 1866.

I HAVE received and laid before the Queen your Despatch of the 6th ultimo,* in which you announce the arrival of Sir John Grant in Jamaica, and the consequent termination of your duties as Governor of that Colony.

* Vide Papers presented 10th Aug. 1866, page 94.

You were called upon to undertake those duties at a very critical conjuncture, and, in combination with them, the not less arduous and in many ways uninviting duties of President of the Commission of Inquiry. Every duty which devolved upon you in either capacity has been patiently, thoroughly, and successfully discharged, with invariable firmness and impartiality; and the confidence and respect which you inspired in all classes of the colonists was justly accorded.

Notwithstanding the events, still so recent, by which society had been so severely shaken, you are enabled to report that you leave the Island in perfect tranquillity; and I am commanded to inform you, that of the many and important services which you have rendered to the country, Her Majesty considers that none have been more deserving of Her entire approbation than those which have signalized your administration of affairs in Jamaica.

I have, &c.

Governor Sir H. K. Storks, G.C.B. (Signed) CARNARVON.
&c. &c. &c.

No. 5.

No. 5.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 48.)

SIR, Downing Street, September 12, 1866.

I HAVE received Sir H. Storks's Despatch marked "Separate," of the 6th ult.,* with copy of memorandum by the Attorney General of Jamaica, as to the mode of proceeding to be adopted in those cases of civilians in which there may be primâ facie evidence of great offences having been committed in the suppression of the late outbreak, or in which it may appear to you that a close and complete investigation is called for.

* Vide Papers presented 10th Aug. 1866, page 93.

I see no reason to doubt that the preliminary proceedings suggested by Mr. Heslop are those which may best be adopted in order to bring to trial those who, on the evidence taken by the Royal Commission, or from other information, may be justly suspected of having committed great offences under cover of martial law. But in cases in which there is information before the Government justifying such suspicions, and in which, nevertheless, no accusation is brought by private persons, it would seem to be necessary that the local Government, by the agency of the Attorney General, or such other agency as may be considered most available and efficient, should initiate and prosecute the proposed preliminary inquiry before the stipendiary magistrate, as well as conduct any subsequent prosecution to which such inquiry may lead.

I have, &c.

Governor Sir J. P. Grant, K.C.B., (Signed) CARNARVON.
&c. &c. &c.

No. 6.

No. 6.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 49.)

SIR, Downing Street, September 12, 1866.

I HAVE the honor to transmit to you, for your information, copies of two Despatches which I have addressed to Sir H. Storks on the occasion of the close of his duties as Governor of Jamaica, and of his communication to me of two addresses which had been presented to him on the eve of his departure from the Island.

3rd September, 1866, p. 41.
4th September, 1866, p. 42.

I have, &c.

Governor Sir J. P. Grant, K.C.B. &c. &c. &c. (Signed) CARNARVON.

No. 7.

No. 7.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 55.)

SIR, Downing Street, September 28, 1866.

I HAVE the honour to acknowledge the receipt of your Despatch No. 6,* of the 22nd ult.

* Page 1.

I approve the principle laid down in the 4th paragraph of that Despatch as that by which you propose to be guided in selecting for public prosecution civilians charged with grave offences in the suppression of the late disturbances.

I have, &c.

Governor Sir J. P. Grant, K.C.B., &c. &c. &c. (Signed) CARNARVON.

No. 8.

No. 8.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 72.)

SIR, Downing Street, October 27, 1866.

WITH reference to my Despatch No. 40,* of the 30th of August, I transmit to you, for your information, the enclosed copy of a further correspondence with the Admiralty, on the subject of the conduct of naval officers in relation to the recent disturbances in Jamaica.

* Page 37.

Colonial Office to Admiralty, 31st Aug. 1866.
Admiralty, 4th Sept., Colonial Office, 10th Oct., and Admiralty 13th Oct.

I have, &c.

Governor Sir J. P. Grant, K.C.B. &c. &c. &c. (Signed) CARNARVON.

Enclosure in No. 8.

Encl. in No. 8.

SIR, Downing Street, August 31, 1866.

WITH reference to the former correspondence on the suppression of the disturbances in Jamaica, I am directed to inquire whether the Lords Commissioners of the Admiralty have issued any further or other instructions on the subject than those communicated to this department in Mr. Romaine's letters of the 5th and 6th July;* and, if so, I am to express Lord Carnarvon's wish that their Lordships would favour him with a copy of such instructions.

* Pages 37 and 40.

I am to convey, for their Lordships information, a copy of the Despatch from Lord Carnarvon to the Governor of Jamaica, urging upon the Governor's attention the instructions contained in Mr. Cardwell's Despatch No. 173,† of the 18th June, which was communicated to their Lordships in Sir F. Rogers' letter of the same date to their Secretary.

† Vide Papers presented 18th June 1866,

I have, &c.

The Secretary to the Admiralty. (Signed) T. FREDK. ELLIOT.

SIR, Admiralty, September 4, 1866.

IN reply to your letter of the 31st ultimo, I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Earl of Carnarvon, that no further instructions

JAMAICA. as to the suppression of the disturbances in Jamaica have been issued by this department, since those communicated to you in my letters of the 5th and 6th July last.

I am, &c.

To the Under Secretary of State for the Colonies. (Signed) W. G. ROMAINE.

SIR, Colonial Office, October 10, 1866.

WITH reference to a correspondence on the subject of the suppression of the late disturbances in Jamaica, which has already passed between this department and the Admiralty, I am directed by the Earl of Carnarvon to request that you will call the attention of the Lords Commissioners of the Admiralty to a debate on that subject in the House of Commons on the 30th of July last, and to inquire whether their Lordships see reason to reconsider the decision taken by their predecessors with respect to proceedings against any of the naval officers who took part in the suppression of the rebellion.

I have, &c.

The Secretary to the Admiralty. (Signed) FREDERIC ROGERS.

SIR, Admiralty, October 13, 1866.

I AM commanded by my Lords Commissioners of the Admiralty to state to you, for the information of the Earl of Carnarvon, that they have given careful consideration to the question raised by your letter of the 31st August, and renewed in your communication of the 10th instant, whether it is their intention to send further instructions to Vice-Admiral Sir James Hope, with respect to the conduct of the naval officers who were employed on shore in Jamaica, during the late disturbances in that Colony.

My Lords desire me to inform you in reply that they are of opinion, having regard to all the circumstances referred to in the Despatch addressed to Sir James Hope by the late Board of Admiralty on this subject, dated the 6th July, that it would not be just to those naval officers now to re-open questions which they may reasonably consider to have been closed by that Despatch.

I am, &c.

Sir Frederic Rogers, Bart., Colonial Office. (Signed) W. G. ROMAINE.

No. 9.

No. 9. COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 74.)

SIR, Downing Street, October 31, 1866.

MY attention has been called to a Jamaica newspaper, dated the 9th instant, received at this office yesterday, which purports to report the first day's proceedings of a general court martial appointed by H.R.H. the Field Marshal Commanding in Chief to inquire into charges preferred against Ensign Cullen and Staff Assistant Surgeon Morris. According to this report, the Deputy Judge Advocate read the charge against Ensign Cullen as follows:—"For scandalous conduct, unbecoming the character of an officer and a gentleman, in having, on the 21st Oct. 1865, in the county of Surrey in the Island of Jamaica, during the continuance of martial law, which had been proclaimed there for the purpose of suppressing an insurrection and for the preservation of the public peace in the said Island, cruelly, wantonly, and wrongfully caused three men, severally named Richard Walton, Tommy Miles alias Tom Bell, and John McCall alias George Macquarry McCall, to be shot to death; the said act not being done by him, the said Ensign Cullen, in good faith, for the purpose of suppressing the insurrection or for the preservation of the public peace in the said Island." In the same report the prosecutor is stated to have narrated the proceedings which were the ground of the charge against Ensign Cullen in these words:—"The witnesses for the prosecution will tell you that on that morning the three men who are named in the charge, together with another, named Francis, were taken prisoners, for stealing nails and corn at Duckenfield, by one Halliday, who took them to one Phillips, the headman on Duckenfield, who delivered them over to three constables, Bryan, Hill or Wills, and another, to be handed to the military. As the three constables, with the four prisoners, were approaching the suspension bridge, one of the prisoners, named Francis, got his hand out of the rope that secured him, and made his escape into a canefield. About the same time some of the soldiers saw the prisoners, and began to cry out, as the witnesses will depose, 'Prisoners are coming, prisoners are coming!' The three prisoners were brought into the Post Office, and were secured to a post or to several posts in the Piazza, and they were delivered over to Ensign Cullen. The witnesess will tell you that Ensign Cullen directed the men to be flogged, and that application

was made to Mr. Manning, the postmaster, for some twine to make a cat with. Some conversation then took place between Ensign Cullen and Dr. Morris. Nothing was said to the prisoners; but in the presence of Ensign Cullen, if not by his direct order, the three men were untied from the post by the soldiers, and were taken about 80 yards off. Dr. Morris went with them, and Ensign Cullen also. The men were then forthwith secured to a bamboo fence, and shot by the soldiers. Ensign Cullen was looking on, probably, it will appear, at a little distance in rear. Whether he gave an order to fire immediately before the men did fire is not so certain. One of the prisoners was not killed by the discharge; upon which Dr. Morris took a rifle, and fired it at the prisoner, (and as the witnesses will depose,) killing him. The soldiers then returned to their houses, and shortly afterwards resumed their march to Golden Grove, where they arrived the same afternoon."

Until Ensign Cullen and Assistant Staff Surgeon Morris shall have been proved guilty of the acts with which they are here charged, I am bound to presume that they are innocent; but if, unhappily, the acts charged should be proved against both or either of them, I need not say that justice would not be satisfied by the mere infliction of the sentence authorized by the Mutiny Act and Articles of War for behaving "in a scandalous manner, unbecoming the character of an officer and a gentleman."* Whilst that Act and those Articles make no provision for trial by court martial for murders or other offences, simply as such, and which are not military crimes in any other sense than as being committed by military persons, it is enacted, in the 76th section of the Mutiny Act, that "Nothing in this Act contained shall be construed to extend to exempt any officer or soldier from being proceeded against by the ordinary course of law when accused of felony, or of misdemeanours, or of any crime or offence other than the misdemeanours or offences herein-before mentioned." If, therefore, the results of the present courts martial in the cases of Ensign Cullen and Staff Assistant Surgeon Morris should be such as to bring the charges home to both or either of them, I have to instruct you to take such steps as, in the opinion of your Attorney General, you may be legally competent to take for the trial before the ordinary tribunal of the offender or offenders.

I observe that Ensign Cullen, in his address to the Court, represented himself to labour under difficulties and disadvantages in making his defence, and adverted to the length of time for which he had been under arrest. I am most anxious, and I am sure you will share my anxiety, that Ensign Cullen, and any other person in his circumstances, should have the fullest means of defending himself; and if unusual and extraordinary expense should be occasioned by a civil trial following on a trial by court martial, I should see no objection to the employment of advocates at the public expense for the defence of persons thus called upon to defend themselves a second time, and upon charges of so grave a nature.

I have, &c.

Governor Sir J. P. Grant, K.C.B., &c. &c. &c.

(Signed) CARNARVON.

No. 10.

COPY of a DESPATCH from the Right Hon. the EARL of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 79.)

SIR, Downing Street, November 7, 1866.

I HAVE received your Despatch No. 23,* of the 9th ultimo, on the subject of the sentences passed by the Special Commission appointed to try cases of participation in the late disturbances. * Page 4.

I am entirely satisfied with the justness of the conclusions at which you have arrived, after so much care and consideration, in the cases of the prisoners still undergoing punishment, and I have to express my concurrence in the views and principles on which they are based.

I have, &c.

Governor Sir J. P. Grant, K.C.B. &c. &c. &c.

(Signed) CARNARVON.

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* 29 Vict. c. 9. (Mutiny Act) s. 1. gives validity to Articles of War (p. 18); Rules and Articles for the better Government of our Army, Art. 79. (p. 273).

JAMAICA.

No. 11.

No. 11.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 83.)

SIR, Downing Street, November 12, 1866.

* Page 1. I HAVE received your Despatch No. 22,* of the 9th ultimo, in which you report the course taken by you on a memorial from the settlers on Hartlands estate, on the occasion of the issue of a writ of ejectment against them, which they appear to have at first resisted, notwithstanding the compromise offered by the proprietor.

The result of your proceedings is very satisfactory, and I have to express to you my entire approval of them.

I have, &c.

Governor Sir J. P. Grant, K.C.B. (Signed) CARNARVON.
&c. &c. &c.

No. 12.

No. 12.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 89.)

SIR, Downing Street, November 16, 1866.

* Page 11. I HAVE received your Despatch, No. 33,* of the 24th October, with a report of the proceedings at the opening of the Circuit Court at Morant Bay on the 18th of that month, by which it appears that the grand jury, in direct opposition to the charge of the judge, Mr. Justice Ker, ignored the bill against Gordon Duberry Ramsay, the late provost marshal, during martial law, for the murder of George Marshall.

In Mr. Justice Ker's charge the law applying to the case was clearly explained to the grand jury, the evidence to be produced against the prisoners was recapitulated in the words of the depositions, and the charge to the grand jury was closed by Mr. Ker in the following terms: "The question therefore for your consideration upon the whole matter will be, has the crown, upon the evidence which will be laid before you, established such a primâ facie case against the defendant as to render it proper that the case should be remitted for the fuller inquiry which it necessarily receives at the hands of a petty jury! Upon this subject I owe it to the administration of justice to remark that you ought not to have a doubt. If these witnesses speak the truth, they have told a tale which no system of criminal jurisprudence but is under a positive obligation to investigate. I need scarcely observe that by finding a true bill, you do not pronounce the defendant guilty, but merely call upon him to say what he has to urge by way of defence or explanation."

You inform me that the grand jury, who ignored the bill in contradiction to this charge, had been formed with care and consideration; and that the Attorney General is of opinion that no grand jury in the island will find a true bill against Ramsay, and that consequently any further proceedings in Jamaica will be useless.

There can be no doubt that the course of justice has been grievously defeated in this case. I have no alternative but to regard it as a refusal on the part of the grand jury to allow any judicial inquiry into charges of an unusually grave nature, which in the interests both of humanity and the public good imperatively required an impartial investigation. But the further intimation that such conduct is no other than is to be anticipated from every grand jury that can be formed in Jamaica, imparts to the case a serious significance as regards the reforms required in the system under which justice is administered. It is the duty of Her Majesty's Government to consider very carefully this state of affairs; and I have to request you to furnish me at the earliest date with a full report of the practical working of the grand jury system in the Colony.

Meanwhile, under the circumstances which you have stated, and which make it clear that no other result can be anticipated from a further prosecution of Mr. Ramsay at any subsequent assizes, and that the continuance of criminal proceedings would only tend to keep alive those feelings of irritation in the Colony which it is my earnest wish to see replaced as soon as possible by healthier and safer objects of interest, I do not consider that it would be for the public advantage to attempt to carry this question further.

I have, &c.

Governor Sir J. P. Grant, K.C.B. (Signed) CARNARVON.
&c. &c. &c.

No. 13. No. 13.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 90.)

SIR, Downing Street, November 16, 1866.

I HAVE received your Despatch No. 34,* of the 24th October, on thes ubject of the indictments for assaults preferred against certain civilians accused of grave offences committed during martial law. * Page 14.

The presentment of the grand jury in the case of Ramsay (on which I have addressed you in another Despatch of this date) and in the case of Woodrow, tend to show that there would be a failure of justice in all similar cases tried in Jamaica, and, for the reasons explained in my other Despatch, it is not my intention to take any steps for causing indictments to be preferred in this country.

I have, &c.

Governor Sir J. P. Grant, K.C.B., &c. &c. &c. (Signed) CARNARVON.

No. 14. No. 14.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 101.)

SIR, Downing Street, December 11, 1866.

I HAVE received your Despatch No. 43,* of the 8th ultimo. * Page 20.

I approve of the decision which you have adopted for the dismissal of Mr. Gordon Ramsay from the public service.

I have, &c.

Governor Sir J. P. Grant, K.C.B. &c. &c. &c. (Signed) CARNARVON.

No. 15. No. 15.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 139.)

SIR, Downing Street, January 31, 1867.

Christopher Codrington.*
William Pitt Kirkland.
James Codrington.
John Woodrow.
David Winton.

I HAVE read your Despatch of the 24th December,† and the depositions taken in the cases of the persons named in the margin,* with the deepest regret, both at the unwarranted acts of cruelty which, upon the face of the depositions appear to have been committed by some of the parties accused, and at the evidence which those papers contain of the political prepossessions by which unhappily the grand jurors have allowed their minds to be influenced in the discharge of their judicial duties. I feel myself however, unable to require those measures to be adopted, which, under ordinary circumstances, I should have unhesitatingly directed, with a view to the adequate punishment of persons chargeable with signal inhumanity. You will have learnt from my Despatch of the 16th November last‡, that I regard the failure of justice in the case of G. D. Ramsay as a refusal on the part of the grand jury to allow any judicial inquiry into charges of an unusually grave nature, which in the interests, both of humanity and the public good, required an impartial investigation. There is nothing in your Despatch of the 24th December to give me any hope that a better feeling exists in the minds of that class of persons from whom a grand jury would be selected, and I feel myself therefore still precluded from instructing you to take any further steps in the prosecution of these accused persons. † Page 24. ‡ Page 46.

At the same time if the local feeling has undergone any change, or if anything has occurred, which in your judgment makes it more probable that a fair and impartial investigation could be obtained in the cases of these persons, you are of course at liberty to proceed. I will only add upon this point that, in my opinion, the case against David Winton broke down, and that unless further evidence has been obtained against the accused, that charge should not be pressed.

I have, &c.

Governor Sir J. P. Grant, K.C.B., &c. &c. &c. (Signed) CARNARVON.

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FURTHER CORRESPONDENCE

RELATIVE TO

THE AFFAIRS OF JAMAICA.

(*In continuation of Papers presented 28th May* 1867.)

Presented to both Houses of Parliament by Command of Her Majesty.
July 1867.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1867.

19147.

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SCHEDULE.

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3	8 August 1866 (No. 1.)	The arrival and assumption of the Government on the 6 August of Governor Sir J. Peter Grant reported - - -	3
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7	23 Oct. 1866 (No. 31.)	Speech on opening the first Session of the Legislative Council on the 16 October, 1866 - - - - -	8
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17	31 Jan. 1867 (No. 136.)	Approves the measures adopted by the Governor for securing to the people of Jamaica a proper administration of justice -	102
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FURTHER CORRESPONDENCE, &c.

Despatches from the Governor.

No. 1.

No. 1

COPY of a DESPATCH from Governor Lieut.-General Sir H. K. STORKS, G.C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 75.) King's House, March 24, 1866.
(Received, April 12, 1866.)

SIR,

WITH reference to your Despatch No. 75, of the 16th February last, I have the honour to transmit herewith the Acts* passed by the Legislature of Jamaica in the session of 1865 and 1866, with the notes of the Island Secretary, and the reports of the Attorney General thereon.

I have, &c.

The Right Hon. Edward Cardwell, M.P. (Signed) H. K. STORKS.
&c. &c. &c.

Enclosure in No. 1.

Encl. in No. 1.

Anno regni vicesimo nono VICTORIÆ REGINÆ.

Jamaica. SS. No. 4552.

CAP. XVIII.

An Act for making more effectual provision for the survey of disputed lands.

WHEREAS the Acts of the Legislature of this Island relating to disputed boundaries have not been found to answer their purposes and requirements, and difficulties arise in the identification of lands in dispute in actions of ejectment and trespass quere clausum fregit; for remedy whereof, Be it enacted by the Governor, Legislative Council, and Assembly of this Island, and it is hereby enacted by the authority of the same, as follows:

Preamble.

First.—In any action or plaint in ejectment or trespass, involving title to land, the court before whom such action or plaint shall be pending, may order and direct any duly qualified and sworn surveyor, practising in this Island (on the undertaking of the applicant to pay all costs consequent on such order), to survey and lay out the lands in dispute, and to prepare a plat or diagram, with a report appended thereto, of all incidents and observations affecting the disputed land which may arise in the course of the survey, to be returned to the court under the hand of the surveyor, and to be used in the cause by either of the parties thereto.

In actions invoking titles to land, &c., court may order same to be laid out, and plat or diagram and report to be returned into court.

Second.—The surveyor, before proceeding, shall, before a judge of the Supreme Court, take the following oath, in writing, to be filed, recorded, and preserved among the records of the suit:

Oath to be taken by surveyor.

In the (Supreme) Court Title of cause.

I do solemnly and sincerely swear that I will well, truly, and faithfully act as surveyor in the survey of the lands in dispute in this cause, and a true plan, diagram, and report return into this honourable court, as by the Act in that behalf provided.

Third.—The plat or diagram, and the report to be returned by the surveyor, shall be filed as records of the court from which the order issued.

Plat or diagram and report to be recorded.

Fourth.—The court may, in its discretion, order the costs of such survey and report to be taxed as costs in the cause.

Costs of survey, &c. may be paid.

Fifth.—Either party to the suit may nevertheless compel the attendance of the surveyor, by subpœna at the trial, to be examined as a witness in relation to the survey and plat or diagram, and report, or otherwise.

Attendance of surveyor at trial may be compelled as a witness.

Sixth.—After judgment recovered in ejectment, either against the casual ejector or otherwise, and whether a surveyor shall or shall not have been appointed before the trial, according to the provisions of this Act, the lessor of the plaintiff may, for the purpose of the execution of his writ of possession, apply for and obtain the order of a judge of the court for the appointment of a duly qualified and sworn surveyor practising in this Island, to accompany the sheriff or deputy-marshal in the execution of such writ of possession, and to point out the lands recovered, and of which possession is to be delivered in pursuance of such recovery, and a plat or diagram of the land, of which possession shall be so delivered, shall be made out, to be returned with the writ of possession, and filed, recorded, and preserved with the other records in the suit: Provided, that the surveyor, to be appointed under the provisions of this clause, shall be sworn before a judge of the Supreme Court in chambers to the oath herein-before prescribed, which, being reduced to writing, shall be filed, recorded, and preserved among the records of the suit.

Proceeding to be taken after judgment recovered in ejectment.

Proviso as to surveyor.

* Only the Act 29th Vict. cap. 18, is printed.

JAMAICA.

Ex parte survey not to exclude rights to ownership of lands.

Penalty for obstructing surveyor.

Imposition of stamp duty to remunerate clerk of supreme court and crown for his services.

Seventh.—That any duly qualified surveyor in the prosecution of a survey ex parte may, after due service of notice, enter upon any land adjoining to that about to be surveyed and laid out by him, but such ex parte survey shall not exclude the rights of any parties to the ownership of the land; that any person offering obstruction to such survey shall forfeit for each and every day he shall so obstruct, or cause obstruction as aforesaid, a sum not exceeding five pounds, to be recovered summarily in petty sessions.

Eighth.—To remunerate the public for the services of the clerk of the Supreme Court and Crown for the duties required of him by this Act, there shall be impressed on each affidavit to be taken by a surveyor a stamp of one shilling, and on each plat or diagram a stamp of two shillings, such stamps to be in addition to the stamps imposed by the Stamp Act.

Passed the Assembly, this 21st day of December 1865.

CHARLES HAMILTON JACKSON, Speaker.

Passed the Legislative Council, this 21st day of December 1865.

SAML. RENNALLS, Clerk of the Legislative Council.

I consent, this 22nd day of December 1865.

E. EYRE.

Vera copia extur.

EDWARD JORDON, Island Secretary.

ATTORNEY GENERAL'S REPORT. 29 Vict. sess. 1. cap. 18.

Upon this I have already reported incidentally to communications between the Secretary of State and Governor Eyre. The Act has been acted upon I think effectually; and very probably his Excellency Sir Henry Storks will report specially upon the subject.

(Signed) ALEXANDER HESLOP,
Attorney General.

March 21, 1866.

No. 2.

No. 2.

COPY of a DESPATCH from Governor Lieut.-General Sir H. K. STORKS, G.C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 139.) King's House, June 30, 1866.
(Received, July 30, 1866.)
(Answered, No. 36, August 15, 1866, page 96.)

SIR,

* Page 87.

I HAVE the honour to acknowledge the receipt of your Despatch No. 154,* of the 23rd May, with reference to an Act of the Legislature of Jamaica, 29 Vict., cap 18, "for making more effectual provision for the survey of disputed lands."

2. The Attorney General, in reporting on this Act, alluded to the probable observations I should offer as regarded the excitement which prevailed at Hartlands, when a survey was attempted to be made under the provisions of this Act, and which I fully reported on in my Despatch No. 62,† of 16th March last.

3. As regards the Act itself, it appears to me to be one, the working of which should be tried before it is submitted for Her Majesty's confirmation.

4. As you are aware, it is so far law that it is acted upon until disallowed by the Queen, and its efficiency can therefore be tested before it is finally approved.

5. The whole question of the tenure of back lands, as they are called in this Colony, is in a most unsatisfactory state, and must be dealt with resolutely, but with great caution, by the new Government about to be inaugurated.

6. When estates were put out of cultivation in this Colony, squatters came and established themselves on much of the back land of these abandoned properties, and, in many instances, without being disturbed for years. Although probably possessing no legal right to remain on the land which they have held by a sort of tacit permission for many years, these parties would resist if summarily ejected.

7. It appears to me, therefore, that the only course to pursue in dealing with this difficult but most important question is to exercise a due consideration not only to right but to justice, both as regards the proprietor and the squatter. Property has its duties as well as its rights; and one of the first duties a proprietor owes to himself and to the public is to look after his possessions, and not, having abandoned portions of his land, suddenly to reassert his rights, and summarily eject those who have established themselves there with his knowledge.

8. I can only recommend that this Act should not be submitted either for Her Majesty's confirmation or disallowance at present, and that it should be an instruction to the Governor of Jamaica carefully to consider as soon as the new Government and Legislature have been inaugurated, the whole question of the land tenure in this Colony, both as regards illegal and irregular possession or forfeiture to the Crown from the non-payment of quit rent.

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† Vide papers presented 10 August 1866, page 66.

9. This Colony can never prosper, nor can excitement and dissatisfaction amongst the labouring classes be allayed, until a just and satisfactory arrangement of this difficult but important question is come to. JAMAICA.

I have, &c.
The Right Hon. Edward Cardwell, M.P., (Signed) H. K. STORKS.
&c. &c. &c.

No. 3. No. 3.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 1.) King's House, August 8, 1866.
MY LORD, (Received, August 29, 1866.)

I HAVE the honour to acquaint your Lordship that I arrived here on the morning of Sunday the 5th instant, and was sworn in on the 6th instant as Captain General and Governor-in-Chief of the Island of Jamaica and its Dependencies, with the usual ceremonial.

I have, &c.
The Right Hon. the Earl of Carnarvon, (Signed) J. P. GRANT.
&c. &c. &c.

No. 4. No. 4.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 13.) King's House, September 8, 1866.
MY LORD, (Received, September 28, 1866.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch No. 36*, of the 15th August. * Page 96.

2. I regret that I am unable at present to furnish your Lordship with the report which you desire to receive respecting the occupation of waste lands by the negroes in Jamaica. The Colonial Government has no information in its possession as to the number or location of the negro squatters, or as to the size and character of their holding, and there is as yet no machinery of government in the parishes of the Island by which the investigation necessary to throw light on these questions can be conducted.

3. It is obvious that, before it will be possible to decide on what principles or by what tribunals the claims of these squatters shall be determined, it is necessary to obtain at least some general idea of the nature and extent of those claims, and my attention is occupied in devising means by which this information can be obtained as early as possible.

4. The questions with which the Government will have to deal are of two kinds, first, cases of squatting, and, secondly, cases in which the negroes have paid for land, but have failed from one cause or another to take out titles. I fear that some considerable time must elapse before any complete knowledge can be obtained as to the amount of squatting and the extent of land which is held under incomplete or disputed title, but I trust that in a comparatively short time sufficient information may be obtained as to the extent and nature of these questions to enable the Government to come to a decision as to the principles on which they should be dealt with, and to establish the necessary machinery for giving effect to them.

5. Until I shall have obtained this amount of information, I am not prepared to express any definite opinion upon your Lordship's suggestion of the appointment of a barrister from England to conduct inquiry into alleged titles. I am, at present, much inclined to think that such an appointment will be essential; but in the absence of all information as to the number and description of questions that will require adjudication, it is not possible to offer more than a conjectural opinion as to the nature of the tribunals which it will be necessary to establish, and I must, therefore, ask permission to reserve your Lordship's suggestion for future consideration. In the mean time I shall not fail to apprize your Lordship of the steps which I may take, in order to ascertain the real condition of the negro holders of land, and to put your Lordship into early possession of

Jamaica. any information I can obtain which may enable the Government to understand the nature of the questions with which it will be called upon to deal.

I have, &c.

The Right Hon. the Earl of Carnarvon, (Signed) J. P. GRANT.
&c. &c. &c.

No. 5.

No. 5.

Copy of a DESPATCH from Governor Sir J. Peter Grant, K.C.B., to the Right Hon. the Earl of Clarendon.

(No. 25.) King's House, October 23, 1866.
(Received, November 13, 1866.)

My Lord, (Answered, No. 91, November 22, 1866, p. 98.)

I have the honour to report that I have appointed provisionally, and subject to Her Majesty's approval and confirmation, the following gentlemen to be non-official members of the Legislative Council of Jamaica.

Mr. Louis Fullerton Mackinnon, Mr. Peter Moncrieffe, and Mr. James Henry McDowell. A seat was offered by me to Mr. Charles Royes, one of the principal planters, and custos of Saint Anne's, but he declined to accept it.

All the three gentlemen I have selected were members of the old Legislative Council. Mr. Mackinnon is a planter and custos of the parish of Vere, and a gentleman of standing in the country. Mr. Moncrieffe is a lawyer, and was formerly chairman of Quarter Sessions. He is an extensive landed proprietor and cattle breeder. Mr. McDowell is one of the principal merchants in Kingston.

I have the honour to recommend these appointments for Her Majesty's approval.

I have, &c.

The Right Hon. the Earl of Carnarvon, (Signed) J. P. GRANT.
&c. &c. &c.

No. 6.

No. 6.

Copy of a DESPATCH from Governor Sir J. Peter Grant, K.C.B. to the Right Hon. the Earl of Carnarvon.

(No. 29.)

King's House, October 23, 1866.

My Lord, (Received, November 13, 1866.)

Reports have recently appeared in the Jamaica newspapers of threatened disturbances at Morant Bay on the anniversary of the outbreak of last year. As these reports may reach your Lordship notice, I think it right to acquaint you that they are wholly unfounded,—that the parish of Saint Thomas-in-the-East is, and has been, perfectly quiet, and that neither in that, nor in any other district of the Island, is any disturbance apprehended.

The enclosed correspondence with Mr. P. H. Ramsay,* the Inspector of Police, will show to your Lordship the source of these foolish reports. The Messieurs Cooke, from some apprehension for their personal safety, for which there appears to have been no ground whatever, applied to the magistrate, Mr. Marshalleck, for protection, who handed their letters to Mr. Ramsay, the Inspector of Police, by whom they were sent on to me, without comment, by express. I am informed also, that some one of these four persons took upon himself to send an express messenger to Colonel Whitfield, at Up Park camp, who anticipating that the message would be followed by some order from the Government, took the proper precaution of putting some of his men under arms, thus giving strength to the rumours afloat. I have requested Colonel Whitfield to inform me by whom the message was sent, and I shall probably find it necessary to express in some substantial way the disapproval of the Government of such a proceeding. I enclose a copy of a letter from Major Prenderville, Inspector-General of Police, in reply to a letter from me, giving his opinion that the persons concerned had been wanting in coolness and judgment.

I have, &c.

The Right. Hon. the Earl of Carnarvon, (Signed) J. P. GRANT.
&c. &c. &c.

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* Not the person of the same surname who was Provost Marshal during martial law.

Enclosure 1 in No. 6. Encl. 1 in No. 6.

Inspector P. H. RAMSAY to the COLONIAL SECRETARY.

Morant Bay Police Office,
Sir, October 10, 1866.

I HAVE the honour to enclose to you, for the information of his Excellency the Governor, two letters I received from Mr. Marshalleck, and also a copy of one he wrote to Commander Jenkins, of H. M. gunboat "Nettle," of the apprehension of a disturbance tomorrow. I have kept all my men together, and put on double guards around the town.

I have, &c.
The Hon. HENRY T. IRVING, (Signed) P. H. RAMSAY,
Colonial Secretary, Spanish Town. Inspector of Police.

Mr. MARSHALLECK to Commander JENKINS.

Sir, Morant Bay, October 10, 1866.

HAVING learned you intend leaving this place tomorrow for Port Morant, I have to request you will keep H. M. gunboat "Nettle" here for the protection of life and property, as I have received two letters, one from Mr. Stephen Cooke and the other from Mr. Brooks Cooke. In both they state they apprehend a disturbance in this town tomorrow the 11th instant, the anniversary of the rebellion of last year in this parish.

I am, &c.
Commander Jenkins, (Signed) D. MARSHALLECK,
of H. M. Gunboat "Nettle." J. P.

Received 8 o'clock p.m., 10th October, 1866.

Mr. S. COOKE to Mr. MARSHALLECK.

Sir, Morant Bay, October 10, 1866.

I HAVE the honour to inform you that I have been credibly informed that I am to be murdered tomorrow (the 11th instant). I got this information through a friend from Mrs. Field (the wife of the late acting rector). I have also heard the same thing from several of my friends during the last two months, and have every reason to believe it to be true, as I was one of the victims that escaped on the 11th October last year.

I have, &c.,
To Danl. Marshalleck, Esq., S.P. (Signed) S. COOKE.

Mr. BROOKS COOKE to Mr. MARSHALLECK.

Sir, Morant Bay, October, 10, 1866.

I HAVE the honour to inform you that I have heard several reports that the people intend coming down in a body to celebrate Paul Bogle's advent into Morant Bay on Thursday 11th instant (tomorrow). In confirmation of these reports, a woman, by name Mary Spencer, came to my house this morning and stated, that she among others had been advised not to go to Morant Bay; several returned to their homes at Stoney Gut, but she came on.

I have, &c.,
To Danl. Marshalleck, Esq., J.P. (Signed) BROOKS COOKE.

Enclosure 2 in No. 6. Encl. 2 in No. 6.

The COLONIAL SECRETARY to Inspector P. H. RAMSAY.

Colonial Secretary's Office,
Sir, October, 11, 1866.

I HAVE received your letter of yesterday's date relative to apprehended disturbances at Morant Bay.

Your letter does not state what you want to be done by the Government, or whether you think that it is necessary to do anything. It would have been desirable that you should have accompanied your report with a statement of your own opinion as to the grounds for apprehension, and as to the sufficiency of the military, naval, and police force in the district.

In the absence of such an expression of opinion, the Governor assumes that the detention of the gunboat, the presence of 24 men of the West India regiment, and the precautions you have taken, will afford sufficient security against any breach of the peace.

His Excellency the Governor will request the Commodore to allow the gunboat to remain at Morant Bay until the receipt of further intelligence. His Excellency will not take any further steps until he hears from you.

I am to request that you will answer by express, stating your opinion as to the grounds for apprehension, and reporting whether you think any reinforcement at Morant Bay necessary.

I am, &c.,
P. Ramsay, Esq., (Signed) HENRY T. IRVING,
Inspector of Police, Morant Bay, P. O. Colonial Secretary.

JAMAICA.

Encl. 3 in No. 6.

Enclosure 3 in No. 6.

The COLONIAL SECRETARY to the COMMODORE.

Colonial Secretary's Office,
October 11, 1866.

Sir,

I AM directed by the Governor to transmit to you the enclosed copy of a letter from Mr. Ramsay, the Inspector of Police at Morant Bay, which has been received here this day.

The Governor assumes that the gunboat "Nettle" will have remained at Morant Bay, in compliance with the requisition of the magistrate, Mr. Marshalleck, and his Excellency requests that you will be good enough to allow her to remain there until further intelligence is received as to the state of the district.

If the "Nettle" shall not have remained at Morant Bay, the Governor begs that a vessel of war, if you have one available, may be sent up to the Bay without delay.

I have, &c.,
(Signed) HENRY T. IRVING,
Colonial Secretary.

Commodore Sir L. J. McClintock,
Admiralty House, Port Royal.

Encl. 4 in No. 6.

Enclosure 4 in No. 6.

Inspector P. H. RAMSAY to the COLONIAL SECRETARY.

Morant Bay, October 12, 1866.

Sir,

SINCE my letter of the 10th instant I have the honour to state that the excitement, caused by various reports that there was to be an outbreak at this place on the night of the 11th instant, the anniversary of the late rebellion, has somewhat abated. Nothing could be more peaceful and quiet than Morant Bay and the surrounding district is at present. I think nothing is to be apprehended, as I have visited Stoney Gut at midnight, Middleton Torrinton, and [sic], which are considered disaffected, and I have found everything quiet, except one or two meetings or wakes. My men have been up, and are continually kept at work for summoning witnesses for the coming assize court.

I have the honour to bring to the notice of his Excellency the Governor the number of men in this parish, 23 in all, including sergeants, and must ask for a reinforcement at the coming court on the 18th instant.

I have, &c.,
(Signed) P. H. RAMSAY,
Inspector of Police.

The Hon. Henry T. Irving,
Colonial Secretary, Spanish Town.

Encl. 5 in No. 6.

Enclosure 5 in No. 6.

The COLONIAL SECRETARY to Major PRENDERVILLE.

Colonial Secretary's Office,
October 15, 1866.

Sir,

I AM directed by the Governor to transmit to you the enclosed copies of correspondence with Mr. P. H. Ramsay, Inspector of Police at Morant Bay.

I am to direct you to proceed to Morant Bay in time for the opening of the assize court on the 18th instant, with such small force of police as can be spared from Kingston and Spanish Town.

You can take the opportunity of inquiring into the question of the reasonableness of the alarm felt, and of reporting how far the two Mr. Cooke's, Mr. Marshalleck, the magistrate, and the Inspector of Police may have been justified, or how far they may have been wanting in coolness and judgment in the course they adopted, which has caused public uneasiness.

I have, &c.
(Signed) HENRY T. IRVING,
Colonial Secretary.

Major Prenderville,
&c. &c. &c.,
Kingston.

Encl. 6 in No. 6.

Enclosure 6 in No. 6.

Major PRENDERVILLE to the COLONIAL SECRETARY.

Kingston, October 19, 1866.

SIR,

IN compliance with your letter, No. 20, dated 15th October 1866, I proceeded to Morant Bay on the 17th instant in H.M.S. "Barracouta," with a reinforcement of 1 sergeant and 20 men of the Kingston division. The inspector at Spanish Town having represented his inability to comply with my demand for 4 men, owing, as he states, to the severity of their present duties, I was unable to procure any aid from that station.

The Circuit court was opened yesterday by his Honour Judge Ker, at Morant Bay, and (not wishing to cause any unnecessary excitement) I detailed the Morant Bay police for duty at the Court House with batons only, in the usual manner, keeping, however, the Kingston force under arms in reserve at the police station close at hand; and I am happy to inform you that the whole affair passed off as quietly as any similar affair could do in the most orderly and loyal town in England.

The Kingston reinforcement returned this day in the "Barracouta" to Port Royal, and then to Kingston in boats.

With reference to the last paragraph of your letter above alluded to, and in compliance therewith, I entered on the inquiry relative to the alarm which formed the subject of the correspondence of the Messrs. Cooke, Mr. Justice Marshalleck, and Mr. Inspector Ramsay; and after receiving from these gentlemen the letters in reply to mine appended, and after hearing numerous vivâ voce accounts of the whole affair, I have come to the conclusion that there were no reasonable grounds for such alarm on the part of either of the persons concerned, that they were not justified by the facts laid before me (and upon which they acted) to give expression to such alarm, and that there was great want of coolness and judgment exhibited by all the parties above mentioned.

I have, &c.

The Hon. H. T. Irving,
Colonial Secretary.

(Signed) J. H. PRENDERVILLE,
Inspector Genl. of Constabulary.

Major PRENDERVILLE to Mr. B. COOKE.

Sir,

Morant Bay, October 18, 1866.

Having been instructed by the Honourable Henry T. Irving, Colonial Secretay (by order of his Excellency the Governor), to inquire into the question of "the reasonableness of the alarm felt by the Messrs. Cooke, with reference to transactions apprehended as about to occur at Morant Bay on the 11th instant, and how far they (the Messrs. Cooke), with Mr. Marshalleck and Mr. Inspector Ramsay, were justified in having taken action thereon, &c., I have the honour to request you will be pleased to afford me such further information on this matter as you may think fit to offer.

I am in possession of all the correspondence which has already passed on this subject.

I have, &c.

B. Cooke, Esq.,
Collector of Customs,
Morant Bay.

(Signed) J. H. PRENDERVILLE, Major,
Inspector General of Constabulary.

Mr. S. COOKE to Major PRENDERVILLE.

Sir,

Morant Bay, October 19, 1866.

I have the honour to acknowledge the receipt of your letter of the 18th instant; and in answer beg to state that I have nothing whatever to add to my letter to Mr. Justice Marshalleck of 10th instant, except that it was understood between Mr. Marshalleck, the commander of the "Nettle," and myself, that the application was simply made to prevent the gunboat proceeding to Port Morant on the morning of the 11th, and was not to go further.

I have, &c.

Major Prenderville,
Inspector General of Constabulary.

(Signed) S. COOKE.

Inspector P. H. RAMSAY to Major PRENDERVILLE.

Sir,

Morant Bay, October 19, 1866.

I have the honour to acknowledge the receipt of your letter of the 18th instant, requesting me to furnish the grounds and the reason of my forwarding the documents written by Messrs. Cooke as to their apprehending a disturbance on the 11th instant.

I have to state for your information, that on the evening of the 10th, Mr. S. Cooke called my attention to a letter, he said he and Mr. B. Cooke had written to Justice Marshalleck, to detain the gunboat, as people were reporting that the Stoney Gut people were preventing other persons from attending market, stating their intention of coming down to have the anniversary of the late rebellion kept up, and that I would get my men under arms. I said I would do nothing except I got orders from the magistrates to forward to the head of my department. I went to Justice Marshalleck, and he handed me the two letters and the copy of the one he has written to the commander of H.M. gunboat "Nettle," which I duly forwarded, omitting to give my opinion, as I apprehended nothing, the people all being quiet; but as I received the letters from a justice, and the gentlemen being sufferers in the late rebellion, I could not refuse to send them on, or they would state I was neglectful if anything was to happen, which I did not apprehend.

I have, &c.

Major Prenderville,
Inspector General of the Constabulary.

(Signed) P. H. RAMSAY,
Inspector of the Constabulary.

Mr. MARSHALLECK to Major PRENDERVILLE.

Sir,

Morant Bay, October 19, 1866.

I have the honour to acknowledge receipt of your communication of yesterday's date.

I beg to state, in reference to the transaction inquired of therein, that having received two letters from Messrs. Cooke, I thought it prudent to request the commander of H.M. gunboat "Nettle," to remain in this port instead of proceeding to Port Morant, as he intended to do the next morning, especially as the 11th instant was the anniversary of the rebellion of 1865 in this parish.

The two letters referred to above, Inspector Ramsay came to my store and requested me to let him have to forward to forward to his Excellency the Governor, which I gave him.

I have, &c.

To Major Prenderville.

(Signed) DAN. MARSHALLECK, J.P.

JAMAICA.

No. 7.

No. 7.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 31.)

King's House, October 23, 1866.
(Received, November 13, 1866.)
(Answered, No. 85, November 16, 1866, p. 98.)

MY LORD,

I HAVE the honour to inform your Lordship that I opened the first session of the Legislative Council of Jamaica on the 16th instant.

The enclosed paper contains pretty accurately the remarks which I addressed to the Council before proceeding to business.

I have, &c.
(Signed) J. P. GRANT.

The Right Hon. the Earl of Carnarvon,
&c. &c. &c.

Encl. in No. 7.

Enclosure in No. 7.

After the formal business of reading the Order in Council, and swearing in the Members had been gone through, his Excellency delivered the following Address (a revised report of which we have been favoured with):—

"It was the practice, as the honourable members of this Council are aware, in opening a legislative session in this island, for the Governor to read a formal written speech, which was replied to by formal addresses, after consideration and debate. I believe it will be felt by all, that such formalities would be no longer in place in the altered state of things, consequent on the new constitution. For myself, I may say that the more simple and modest forms suited to this Council are much more agreeable to me than the former practice would have been. I am glad to take my place amongst you, and to take my full share in your work. I know that I shall derive instruction from your discussions; and I feel it a privilege to have the opportunity of explaining to you my own measures in my own words. It will not be out of place, at this our first meeting, if I address you in this less formal manner, and in a very few words, on the work before us.

"There is certainly much work before us. In every department of legislation there is much to be done. I need not now speak of the Bills which will be brought forward to-day; they will be fully explained when presented. But I may now indicate what I think should be the first great labour of this Council, which is a reform in the legal system of the colony. The legal procedure, both civil and criminal, and the police, are the two points which appear to me to require the earliest attention.

"As to the police, there is nothing worthy to be called a police at present. Nothing in the lamentable events which lately occurred has struck me so forcibly as the unexpectedness of the outbreak. The affair had been some little time at least in preparation, at a spot only four miles from one of your principal stations; a station where there was a court house in which the magistrates of the parish constantly met. Yet it broke out upon all, as little foreseen as an earthquake. And what has always struck me as still more remarkable, no one has ever been considered as at all to blame for such a state of utter ignorance. Now, if there had been a police such as I shall recommend, I believe it would have been impossible for the authorities to have been so completely ignorant as they were, of what was going on close at hand; and it is quite certain that if they had been, there would have been somebody to blame.

"Small things often best show the real character of an institution better than great. Shortly after my arrival I had occasion, by way of precaution, to send a small force of police to a little distance. I sent for the inspector of police here, and I asked him how many men he had available. He told me he had twenty-two men, but of these only eight could be taken, as the others, if taken, would be a great deal worse than useless. Here then we are paying the wages of twenty-two men, in order to get the services of eight.

"Now, as to the system of legal procedure, I do not hesitate to say, that in minor criminal cases, which form the great mass of criminal cases, the cases that mainly affect the people, the system here is extremely bad; and in civil matters, for the poorer classes, there is no justice at all.

"I have petitions every day—the Honorable Colonial Secretary will bear me out in what I say—from persons who complain of having come from great distances week after week (indeed one petitioner says, I know not how truly, for months together) on court days, to petty sessions, and found no court open. The inspector of prisons has reported to me a case accidentally discovered by him, of three persons who had been confined three weeks, and one of them, I think, a month, in a lock-up, untried and uncommitted, for want of two justices to hear the accusations. I blame no one. The reason assigned was, that there were very few justices of the peace within many miles. Those gentlemen had their own private affairs to attend to. I repeat that I blame no one. I blame the system.

"Now in civil cases, how is it? Suppose a negro at Green Island has a debt of 11*l.* owing to him, he has to travel some 160 miles to this town, in a country where travelling is very slow, and often for many days together impossible, in order to file his suit. When he gets here he can't do anything without employing an attorney, and attornies, who must live by their profession, must charge for their skill and their time. Suppose that the suitor arrived to-day, after paying his attorney he would be told, 'Yes, I can file your suit for you, but you must wait for a few months before the defendant need give in any answer.' I speak in the hearing of the learned Attorney General. This is the case of a poor

ignorant negro from Green Island; and so it must be in any suit for more than 10*l.* Have I not a right to say, that for such cases there is no justice?

"I hope that I may not be understood as joining in the common outcry against this colony; certainly we in Jamaica are well abused—they say a well abused man must have his good points. If the same is the case with colonies, Jamaica must be full of good points; but it seems to me that this blame is hardly just; all that I think can be said against this colony, I think, resolves itself into this, that Jamaica has always been and is a generation behind the mother country. Let us go back two generations, to the beginning of the century, when the slave trade was abolished. The planters here, no doubt, bitterly complained of that measure, and for so doing were abused in England for years and years. But they said nothing but what had been said in England, all but universally, thirty years before. Coming down to a generation later, when slavery was abolished, and free trade was insisted upon, no doubt in Jamaica it was said that the abolition of slavery was an unwarrantable interference with the liberty of the subject, and complaints of that and of free trade principles were plentiful enough; and for this Jamaica is blamed to this hour. But what, I ask, was said in 1834 in Jamaica, that had not been as generally and as confidently said in 1804 in England? Who, at the beginning of this century in England, dreamed of the abolition of slavery? And if one had asked then any statesman on either side of either House of Parliament what he thought of a policy of free trade, it would have taken a long time to make him understand what was meant, and when he did understand it he would have said he thought it the policy of madmen.

"And now, honourable gentlemen, having detained you too long, perhaps, in speaking of our grandfathers and our fathers, I come to speak of ourselves. I have said my mind on your system of legal procedure. I don't retract a word. I don't wish to soften down a word. In the mass of criminal cases the system is extremely bad; in civil cases, for poor people, there is no justice at all. But all this could have been as truly said of the system of legal procedure in force in England, within my own life time. Here again, with all our faults, we are but a generation behindhand.

"I do not ask you to follow English precedent blindly. When they have gone in a wrong direction in England, or in a direction unsuited to the peculiar circumstances and the peculiar people we have here to deal with, I recommend you to stand upon the ancient ways. But when they have gone successfully in the right direction, especially when they have gone in a direction peculiarly well suited to our circumstances and our people, then I shall ask you to come up abreast of the mother country, instead of lagging, as heretofore, a thirty years journey in the rear.

"I trust, however, that too much may not be expected from any legislative measures. What we can do here is to remove the bars and obstacles to progress; and this I hope we shall do. But progress itself must be the work of the people themselves.

"The two great measures which I have now in preparation are the constitution of a constabulary police; and a provision for local, that is parochial (or as they would say in England, county) courts for the administration both of civil and criminal justice in the great mass of civil and criminal cases.

"Many other measures press for consideration; amongst them, I am sorry to say, measures of taxation are unavoidable. One important measure of taxation will be introduced to-day. Something may be done by retrenchment, but not very much that will tell immediately. Whatever can be done in this way shall be done. But I find that for years past the colony has been spending in its ordinary current expenses (excluding all such charges as those for new roads, or bridges, or new buildings, or new acquisitions of property provided for by loans) between 20,000*l.* and 25,000*l.* a year more than its income. This gap must be stopped, and further, more money must be got for indispensable reforms. Taxation is always unpalatable, and retrenchment is always sore to those who fall under it. But both being unavoidable, I claim the support of all who will open their eyes to our difficulties, and who will give their minds fairly to the question how best to overcome them.

"I now declare the session to be opened, and the Council to be ready to proceed to business."

No. 8.

Copy of a DESPATCH from Governor Sir J. Peter Grant, K.C.B., to the Right Hon. the Earl of Carnarvon.

(No. 41.)

King's House, November 8, 1866.

My Lord, (Received, December 3, 1866.)

I have the honour to acknowledge the receipt of your Lordship's Despatch No. 60,* of the 4th of October, and I enclose for your Lordship's information copies of the correspondence which passed at the time, respecting the disturbances on Hopewell estate in August last.

* Page 97.

This correspondence will show your Lordship what the occurrences really were. I had learned from Mr. Westmoreland, the custos of Metcalfe, that he had received a letter reporting that a serious riot had taken place on Hopewell estate, in which the house of the proprietor had been broken into by the labourers, and other mischief had been done; and I directed Mr. W. L. Stewart, the Inspector of Police in this town, to proceed to the estate with a party of his police for the purpose of maintaining order and securing

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the apprehension, without risk of forcible resistance, of any persons against whom warrants might be issued. Mr. Stewart's report of his proceedings are amongst the papers.

It was found that the story had been exaggerated, but the labourers were shown to have been guilty of riotous conduct, for which several were arrested by a magistrate's warrant, and most of them were finally committed by the magistrates for trial before the next Circuit court.

Mr. Stewart, however, entirely corroborated, in a verbal report which he made to me. the statement in the extract from a letter from Commander Brand, quoted by Sir L. F. McClintock in his letter of the 4th of August, that the overseer was in a state of shameful intoxication on the night that the police were at the estate, though in what state he may have been in on the evening of the occurrence of the dispute I do not know. It was also made apparent that the labourers had been exasperated by the overseer's conduct, in closing his money box and stopping in the payment of their wages when they had been all collected to receive their money because, as he alleged, the labourers were very noisy. It was the day before the commencement of their holidays, and they were not unnaturally vexed at being so disappointed by being refused their wages after all the preparations for payment had been made, and when they wanted their money particularly for holiday purposes. Whatever of riotous conduct there was, which certainly did not amount to anything very serious, arose in the course of the clamour they made for the money due to them, which the overseer persisted in withholding from them. Next morning, when the labourers returned, bent upon getting their money, some further disturbance occurred, after which the overseer consulted his book-keepers, and ordered one of them to pay the labourers. On receiving their money the labourers went away quietly.

I consulted the Attorney-General as to this conduct on the part of the overseer, but he informed me that no proceedings could be taken against him in consequence.

The labourers made counter charges against the overseer of having fired a pistol at them, and let dogs loose upon them, but these counter charges were dismissed by the magistrates as false, and one of the witnesses was committed for perjury.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c.

(Signed) J. P. GRANT.

Encl. in No. 8.

Enclosure in No. 8.

SCHEDULE.

Inspector W. L. Stewart to the Governor, August 10, 1866.
Inspector W. L. Stewart to the Governor, August 10, 1866.
Inspector Alexander Stewart to the Governor, August 10, 1866.
Inspector W. L, Stewart to the Governor, August 12, 1866.
Hon. H. Westmoreland to the Governor, August 11, 1866.
James Stewart to Hon. Henry Westmoreland, August 9, 1866.
Commodore M'Clintock to the Governor, August 11, 1866.
Mr. James Stewart to Hon. H. Westmoreland, August 14, 1866.
Inspector Stewart to Mr. Jordon, August 23, 1866.
Mr. A. Lake to Mr. Jordon, August 21, 1866.

Inspector W. L. STEWART to the GOVERNOR.

Sir, Annotto Bay, August 10, 1866, 11.50 a.m.

I HAVE the honour to report my arrival at Aguatta Vale Pen (the residence of Mr. James Stewart, J.P.) at 7.55 a.m. yesterday.

In company with Mr. Stewart I immediately proceeded to Hopewell estate.

Mr. Stewart, having inquired into the riotous entries, placed a warrant in my hands for the apprehension of 18 persons, 14 of whom are now in custody, among whom are the principal ringleaders.

I hope to have the honour of reporting myself to your Excellency early to-morrow, when I will be able to furnish all the particulars of this alleged disturbance.

I have, &c.

His Excellency the Governor. (Signed) WALTER L. STEWART.

Inspector W. L. STEWART to the GOVERNOR.

Sir, Annotto Bay, August 10, 1866, 12.30 p.m.

WITH reference to the latter paragraph of my letter of this day's date, No. 197, I have the honour to state that a further warrant against 14 persons has just been issued by the overseer at Hopewell estate; under these circumstances I will remain at Hopewell estate until all further arrests be made.

I have, &c.

His Excellency the Governor. (Signed) WALTER L. STEWART.

Inspector ALEXANDER STEWART to the GOVERNOR.

Sir, Police Office, Annotto Bay, August 10, 1866.

I have the honour to report for the information of your Excellency that the parties against whom there were warrants for apprehension for committing a riot on Hopewell estate in this parish, were taken into custody last night by Mr. Inspector W. L. Stewart and myself, with the exception of four, who are being searched for, and will doubtless soon be in custody. I have also the honour to report that the district is perfectly quiet, and that no apprehension of an outbreak need be entertained.

I have, &c.

His Excellency Sir J. P. Grant. (Signed) ALEXANDER STEWART,
&c. &c. &c. Inspector for Metcalfe.

Inspector WALTER L. STEWART to the GOVERNOR.

Sir, Spanish Town, August 12, 1866, 6 o'clock p.m.

I HAVE the honour to report my arrival here at 5.55 o'clock p.m. this day.

I have, &c.

His Excellency the Governor, (Signed) WALTER L. STEWART.
King's House.

Hon. HENRY WESTMORELAND to the GOVERNOR.

Your Excellency, Kingston, August 11, 1866.

I BEG to annex copy of a letter received last evening from Mr. James Stewart, a magistrate of the parish of Metcalfe, reporting everything quiet at Hopewell estate, and that the police were engaged in apprehending the offenders.

I have, &c.

His Excellency Sir J. P. Grant, K.C.B. (Signed) HENRY WESTMORELAND,
Custos of Metcalfe.

James Stewart to Hon. Henry Westmoreland, dated Agualta Vale, August 9, 1866.

"I have this moment returned from Hopewell; everything quiet.

Warrants have been sent out against 18, and I left police and two inspectors to apprehend the parties. Had there been anything serious I should have written you, also the Governor."

Commodore MCCLINTOCK to the GOVERNOR.

Sir, Aboukir, at Jamaica, August 11, 1866.

WITH reference to the recent disturbance at Hopewell estate, I have the honour to acquaint your Excellency with the following extract from a letter just received from Lieutenant Brand, commanding H.M. gunboat "Delight," at present stationed at Annotto Bay.

"Yesterday (August 9) I rode to the Hopewell estate, seven miles distant from Annotto Bay, and "found the negroes all quiet and very glad to see me. Mr. Stewart, I.P., accompanied me.

"The inspector of police from Spa Town arrived in the morning with a dozen police, and they, in "company with the Annotto Bay police and the two inspectors, proceeded to execute the warrants, to "the number of 18. They had no difficulty in doing so, and the prisoners have been brought in and "admitted to bail.

"I questioned Mr. Liddell, the overseer, and he acknowledged to having fired a revolver over their "heads, but the people informed me that it struck a tree close to them, and he let go two large dogs "and they threw stones at the dogs to prevent themselves being torn to pieces; one or two stones "struck the house and broke some jalousies. I could not find a single pane of glass broken, nor door "off its hinges.

"As to the manner in which his clothes were torn, it was by some men taking his revolver from him "by force to prevent his firing any more at them.

"He persisted in refusing to pay the people the money due them because they made too much "noise, and as this is holiday time and they were anxious to have their accounts squared, it very "naturally exasperated them.

"As it was not advisable to march so many down to the Bay at night, the two inspectors remained "there with their force, and I have been informed by both of them this morning that Mr. Liddell was

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" in a beastly state of drunkenness last night, and beating his wife, who was singing out 'Murder,'
" when Inspector Stewart of Spanish Town went and interfered.
" The attorney of the estate was also, I am informed, inebriated but quiet."

I have, &c.

His Excellency Sir John P. Grant, K.C.B., Governor-in-Chief, Jamaica.

(Signed) F. L. McCLINTOCK, Commodore.

MR. JAMES STEWART, I.P., to Hon. H. WESTMORELAND.

Sir, Agualta Vale Penn, August 14, 1866.

I BEG to enclose for your information a list of persons apprehended under warrant in the parish of Metcalfe on the 9th, 10th, and 11th August on a charge of riot and assault, and bailed to appear on the 17th August.

The overseer of Hopewell (Mr. Liddell) has also been apprehended under a warrant, and bailed to appear on the same day.

It appears to me, from inquiries I have made, that this disturbance arose from the overseer not paying the people for work done before August, and they state that they went to him upon three different occasions, and he would not pay them; that as they did not leave he set two dogs upon them; that they threw stones at the dogs to prevent them from coming down the steps, some of which stones struck the house, whereupon a revolver was fired over their heads; that the women then went up the steps and took the revolver from the overseer, and in the struggle some of his clothes were torn.

This is their statement. Of course I do not vouch for the truth of it, but, if it is true, the whole matter does not appear to be so bad as was represented by the overseer.

I take the liberty of suggesting to you that some lawyer should be sent from your side to get at the truth of this by cross-examination, so as to enable the Justices to arrive at a proper decision whether it is a case for the Circuit Court, or not. Mr. Bond has said that he will sit, and you might name another, as Friday is not a day named in the roster for magistrates to sit. Mr. Prestwidge would make another very good magistrate to investigate the case.

I have, &c.

Hon. Henry Westmoreland.

(Signed) JAMES STEWART, I.P., Metcalfe.

Inspector STEWART to MR. JORDON.

Sir, Spanish Town, August 23, 1866.

I HAVE the honour to report my return from Metcalfe this day.

The examination of persons concerned in the disturbances at Hopewell has terminated, and they have been committed for trial at the ensuing Circuit Court to be held in that parish.

The case against Mr. Walter George Liddell, overseer at Hopewell, has been dismissed, and the complainant has been indicted by order of the sitting magistrates for perjury.

Facts have been elicited in evidence that show there was a determined will on the part of the people to commit a breach of the peace on the 7th* instant, and that there was no provocation offered the mob on that occasion by the overseer.

I have, &c.

The Hon. Edward Jordon, C.B.

(Signed) WALTER L. STEWART, Acting Inspector of Police, St. Catherine.

MR. ALEXANDER LAKE, Deputy Clerk of the Peace, to MR. JORDON.

Sir, Annotto Bay, August 21, 1866.

I HAVE the honour to acknowledge the receipt of your letter, No. 1331, dated 15 August, covering seven documents referring to the late disturbances at Hopewell estate in this parish.

I now return these documents.

A magisterial inquiry into a charge of riot and assault aginst 31 of the estates' labourers was held on Friday and Tuesday the 11th and 21st instant, which resulted in the discharge of six persons and the committal of the others for trial at the next Metcalf Circuit Court. I conducted the examination of the witnesses as well in the interests of the labourers as of the overseer, for the purpose of eliciting the whole truth. The evidence showed that the 6th August last was a pay day at Hopewell; that the labourers were very noisy at the pay table, as they sometimes are; that the overseer, in consequence, removed the pay book and money, and refused to continue payments until they became quiet; that there was no attempt to seize the money or offer any violence to the overseer then; that on his leaving the pay table they became very turbulent, and insisted on having their money; that they remained near the overseer's house, and, when it became dark, stoned it, whereby several panes of glass and some blinds were broken; that this proceeding continued for about half an hour, when the overseer, who was in jeopardy of being struck by the stones thrown into his house, after having warned the people without effect, discharged his revolver in the air—certainly not at them; that shortly after the disturbance ceased during the remainder of that night, although the labourers remained near the house; that on the following morning they renewed their application to the overseer for their wages, who refused to pay them, as he considered it unsafe to produce the money, as he alleged to the court; that they then

* i.e. the second day; the disturbance began on the sixth, without, according to the Clerk of the Peace, any preconcerted plan.

endeavoured to force their way into his house; that in this scuffle his shirt and waistcoat were torn, and a part of a principal door forced from its hinges; that he called for his revolver, on the production of which the people retreated; that he did not discharge it, although he threatened to do so; that ultimately, finding the labourers bent on having money, he consulted with his book-keepers, and directed one of them to pay the people, who, on receiving their wages, left the estate. It was disproved that the overseer had set his dogs or fired his revolver at the labourers, while it was established that the disturbance originated in the suspension of payment by the overseer whilst the people were noisy, and not in any preconcerted arrangement. JAMAICA.

The case against the overseer for discharging his revolver at James Brown with intent to do him grievous bodily harm was also investigated. It terminated in the acquittal of the overseer, the proof failing utterly; but the Justices directed me to indict James Brown for perjury, as they considered the evidence given by him as grossly false.

I have, &c.

Honourable Edward Jordon, C.B.
&c. &c. &c.
Governor's Secretary.

(Signed) ALEXANDER LAKE.
Deputy Clerk of the Peace.

No. 9. No. 9

Copy of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 52.)

King's House, November 24, 1866.
(Received, December 15, 1866.
Answered, No. 108, December 29, 1866, p. 100.)

MY LORD,

I HAVE the honour to transmit to your Lordship herewith, a duly authenticated copy of a law passed by the Governor, with the advice and consent of the Legislative Council of Jamaica, intituled No. 1 of 1866, "A law to increase and secure the "Revenue from rum."

I enclose a copy of the Attorney General's report upon this law.

I have, &c.

The Right Hon. the Earl of Carnarvon,
&c. &c. &c.

(Signed) J. P. GRANT.

Enclosure in No. 9. Encl. in No. 9.

Jamaica No. 1 of 1866.

Assented to by the Governor 25th October, 1866.

A law to increase and secure the revenue from rum.

WHEREAS it is expedient to increase the revenue now levied upon rum for use or consumption in this island, and to make new provisions for the security of that revenue: It is enacted by the Governor of Jamaica, with the advice and consent of the legislative council thereof, as follows: Preamble.

First—On and after the sixteenth day of October, one thousand eight hundred and sixty-six, all rum and other spirits liable by the laws heretofore and now in force to a duty of two shillings and nine-pence for every imperial gallon, which duty was not paid thereupon before the said day, shall be liable to, and shall be charged with a duty of five shillings for every imperial gallon; and this increased duty shall be levied upon all such rum and other spirits as aforesaid, in the same manner and under the same powers and provisions, and shall be enforceable by the same penalties as the duty of two shillings and nine-pence for every imperial gallon was levied in and under, and was enforceable by, before the passing of this law. Increased duty on rum.

Second—Section ten of the "Rum Duty Collection Act, 1858," twenty-second Victoria, chapter thirteen, is hereby repealed; after the passing of this law no quantity of rum or other spirits as aforesaid shall be allowed free of duty to any distiller or person in charge of an estate, or to any person whatsoever, whether for use or consumption by such distiller or person, or by his servants, or on the estate or premises where the rum is made, or for any purpose whatsoever. Repeal of sec. 10, 22 Vict. c. 13.

Third—After the passing of this law, all rum and other spirits as aforesaid, used or consumed, or intended to be used or consumed at any place in this island, and all rum and other spirits removed from store for the purpose of being so used or consumed, or for any other purpose, or in any other manner than for export in bond in the manner prescribed by law, shall be charged with duty, and shall come under all the provisions of this law, and of all other laws in force relating to the collection of the revenue from rum; and no rum or other spirits as aforesaid shall be used or consumed on any such estate or premises as aforesaid, or elsewhere, or by any such person as aforesaid. or other person, except such as shall have been purchased from a licensed retailer; a breach of this law shall subject all concerned therein to the penalties and forfeitures inflicted for the unlawful use, consumption, removal, or sale of rum by the laws heretofore in force, or hereafter to be in force. No rum to be moved on estates without permit, except for export.

Fourth—Every collector and sub-collector of customs, and every collector of rum duties, the inspector of revenue, and the receiver-general, and every person having general or special authority in writing for this purpose from the inspector of revenue, or from the receiver-general, or from the governor, conveyed to him by a letter from a secretary to Government, shall be empowered from the Powers of inspectors.

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passing of this law to enter into any distillery, store, shop, or other place where rum or other spirits as aforesaid is manufactured or kept, whether for store or export, or for wholesale or retail sale, or otherwise, and to examine and gauge such rum or other spirits, and to take an account thereof, and to inspect the numbers and brands of spirit casks, and to call for and inspect, if forthcoming, all such still-house books, sale books, bills of parcels, bills of sale, permits, receipts, accounts, and writings as are or ought to be kept by distillers, wholesale sellers, and retail sellers of rum or other spirits, as aforesaid.

Penalties.

Fifth—Any person contravening any of the provisions of this law, or obstructing any person in the lawful exercise of the powers given by this law, shall be liable to the penalties provided by the fourteenth section of the Act of the twenty-eighth of Victoria, chapter twenty-seven, recoverable as provided by the seventeenth section of the same Act.

Incorporation of Acts.

Sixth—The Act of the twenty-second Victoria, chapters thirteen and fourteen, and the Act twenty-eighth Victoria, chapter twenty-seven, except in so far as any of their provisions are repealed by or are inconsistent with or repugnant to anything in this law contained, shall be read as incorporated with and shall be taken as part of this law.

Opinion of the Attorney General.

No. 1 of 1866.

The duties imposed by the two Acts in force at the time of the passing of this law were enforceable only up to 31st March, 1869.

I do not think, however, that, upon a judicial construction of the present law, its operation would be restricted to the same limited period.

Some dissatisfaction has been expressed with the second section and the second portion of the third section of this law. But there can be no doubt that the estates' allowance sanctioned by 22 Vict. c. 13. s. 10, was rife in abuses; and the permission to distribute rum as an incitement to labour, even if the duty had been paid upon it, would place the planter at an advantage over the retailer, by virtually enabling him to retail without a licence.

The fourth section is but an extension of the authority conferred by 22 Vict. c. 13. s. 8.

The Acts generally relating to the subject are:

22 Vict. c. 14. Warehousing.
22 Vict. c. 13. } Collection of duties.
28 Vict. c. 27. }
27 Vict. c. 5. } Imposition of duties.
28 Vict. c. 12. }

and the present law.

A. HESLOP,
Attorney-General.

20th November, 1866.

No. 10.

No. 10.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 54.)

King's House, November 24, 1866.
(Received, December 15, 1866.
Answered, No. 113, December 29, 1866, p. .)

MY LORD,

I HAVE the honour to transmit to your Lordship herewith, a duly authenticated copy of a law passed by the Governor, with the advice and consent of the Legislative Council of Jamaica, intituled, "No. 3 of 1866, a law to declare the amount of "the salaries of the Governor and of the Colonial and Financial Secretaries of "Jamaica."

I also enclose copy of the Attorney General's report upon this law.

I have, &c.
(Signed) J. P. GRANT.

The Right Hon. the Earl of Carnarvon,
&c. &c. &c.

Encl. in No. 10.

Enclosure in No. 10.

Jamaica, No. 3 of 1866.

Assented to by the Governor, 31st October, 1866.

A law to declare the amount of the salaries of the Governor, and of the Colonial and Financial Secretaries of Jamaica.

Preamble.

WHEREAS the Queen has been pleased to direct that the salary of the Governor of Jamaica, appointed to administer the government of the island, under the constitution established by her Majesty's order in council of the eleventh day of June, in the year one thousand eight hundred and sixty-six, shall be at the rate of seven thousand pounds per annum: and whereas Her Majesty has also been pleased to direct that the salaries of the colonial secretary, and of the financial secretary of Jamaica, shall each be at the rate of fifteen hundred pounds per annum:

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Salaries of Governor, Colonial Secretary, and Financial Secretary.

It is hereby enacted by the Governor of Jamaica, by and with the advice and consent of the legislative council thereof, that the salary of the present Governor shall be, and shall be deemed to have been from the date of his appointment, at the rate of seven thousand pounds per annum; and that the salaries of the colonial secretary and of the financial secretary, shall each be, and shall be deemed to have been, from the creation of those appointments, at the rate of fifteen hundred pounds per annum: provided always, that nothing in this law contained shall be held to authorize these salaries, or any parts thereof, being drawn before or otherwise than as they, or parts thereof, are authorized by Her Majesty's regulations to be drawn.

Opinion of the Attorney-General.

No. 3 of 1866.

This law merely fixes the dates of the appointments of the Governor and of the Colonial and Financial Secretaries, as those upon which their respective salaries are to be taken as commencing to accrue.

A. HESLOP,
Attorney-General.

20th November, 1866.

No. 11.

No. 11.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B. to the Right Hon. the Earl of CARNARVON.

(No. 56.)

King's House, November 24, 1866.
(Received, December 15, 1866.)

MY LORD,

IN continuation of my Despatch No. 41*, of the 8th November, I have the honour to acquaint your Lordship that the trial of the labourers on Hopewell estate, concerned in the disturbance which occurred there in August last, took place at the recent Circuit court for the parish of Metcalfe.

* Page 9.

Fifty-five of these people were brought up for trial on a charge of riot, but the whole of them were acquitted by the jury.

I enclose a copy of the Morning Journal newspaper,* which contains a report of the evidence on the trial.

* Not printed.

I have, &c.
(Signed) J. P. GRANT.

The Right Hon. the Earl of Carnarvon,
&c. &c. &c.

No. 12.

No. 12.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 57.)

King's House, November 24, 1866.
(Received, December 15, 1866.
Answered, No. 118, January 1, 1867, p. 101.)

MY LORD,

I have the honour to enclose a copy of correspondence which I have had with the Bishop of Kingston on two measures of economy in the ecclesiastical charges of this colony, which, subject to your Lordship's approval, I have been enabled to introduce; the one in pursuance of a suggestion of his Lordship, made to my predecessor; the other with his Lordship's consent and assistance.

2. It has been the practice here to pay, out of the Public Revenue, one considerable item of ecclesiastical expenditure, through the several parish vestries, in such manner as not to be shown in the published accounts as forming any part of that expenditure.

The salaries of the rectors and island curates, and additional curates, called stipendiaries, were duly shown in the accounts under the head of ecclesiastical charges; but the pay of organists, beadles, and other servants, and all the miscellaneous and contingent expenses of the several churches and chapels were defrayed by the several parish vestries, out of an annual appropriation from the General Revenue made to those vestries for all sorts of parochial expenditure, of which, so far as I am aware, no analysis was published. The aggregate of these ecclesiastical parochial items has been as high as 8,500*l.*, (in round numbers,) as stated by the Bishop. The parochial estimates, as

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passed by the Government for the current year, have been generally reduced, but the aggregate of these items for this year amounts to the still considerable sum of 6,894*l.* This last amount includes a sum of 265*l.* for repairs, deducting which there remains 6,629*l.*, being the amount mentioned in my letter to the Bishop of the 12th of October.

It appeared to me that the business of repairs must be reserved in the hands of the Government of the Colony, whilst the other charges, so far as the congregations may think fit to retain them, might properly be left to be met by those congregations for whom they are respectively incurred, in accordance with the Bishop's suggestion to Sir Henry Storks in his letter of the 19th of April last, and arrangements have now been completed for carrying out this measure, to the above extent, from the 1st of January next. Three fourths of the last-mentioned amount will thus be saved to the General Revenue of the Colony in the current financial year; and the whole amount will be so saved in all future years.

I am happy to say, from all that has come to my knowledge, that this change has been accepted by the congregations of the established church, in an excellent spirit.

The second measure is mainly of a preparatory character, though it also will have the effect of producing an immediate saving to the revenue, of considerable importance in the present state of the finances of the colony. Under a colonial statute, the tenure of the cures of all the clergy of Jamaica expires with the close of the year 1869. At that time it will be legitimate to make any changes of system, and any reductions in number and pay, which may be thought proper on general principles. Great reductions in pay were made by the late Colonial Legislature, at the expiry of the last temporary statute, by which the Ecclesiastical Establishment was regulated; and it has been perfectly understood by all parties here, that the re-arrangement of the Ecclesiastical Establishment after 1869, would be treated practically as an open question.

Nevertheless, I hold it as certain that Her Majesty's Government would not, in any probable state of affairs, cast upon the world, without compensation or means of livelihood, men who had been blamelessly performing sacred functions in Her Majesty's service, as I believe the great majority of the clergy here are doing. On the other hand, whilst I agree with the Bishop in thinking that no important and general reduction in the stipends of the present class of clergy, would be wise or proper, as a matter of general policy, I am more strongly impressed than his Lordship is, as I gather his views, with the necessity there is for a large reduction in the present number of the present class of clergy in this Island.

If I am wrong in this view, the temporary vacancy of a few cures will be of no permanent injury, but if I am to any extent right, such vacancies will be a great advantage; for as I have observed to the Bishop in my letter of the 2nd of October, to which I beg leave to refer your Lordship, the less hampered Her Majesty's Government may be by reasonable claims to personal consideration, when the time comes for your Lordship to decide the important and very difficult question that must be decided in less than three years from this time, the better.

For this reason I have proposed to the Bishop that no vacancy occurring in the Ecclesiastical Establishment shall be filled, until a new scheme for supplying the religious wants of the Island shall have been determined upon by Her Majesty's Government; and in this proposal his Lordship has acquiesced. I now submit this recommendation for your Lordship's decision.

Already, by the provisional introduction of this principle, an immediate saving, which I estimate roughly at about 2,000*l.* a year, has become feasible without public inconvenience or personal loss to any one, the details of which arrangement I hope to be able to send to your Lordship by next mail.

I cannot too strongly express to your Lordship the obligation I am under to the Bishop of Kingston, for the kind and liberal support I have received from him in my endeavour to improve the embarrassed financial condition of this Colony, by economy in this department of affairs.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c.

(Signed) J. P. GRANT.

Enclosure in No. 12.

The Bishop of KINGSTON to Sir H. K. STORKS.

SIR, Bishop's Lodge, April 19, 1866.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 10th instant, and I will now proceed, in compliance with your request, to submit to you various remarks and suggestions concerning our ecclesiastical expenditure and the promotion of education.

Your Excellency has not disappointed my expectations, having assured me that you would be ready "to maintain the Established Church in the most efficient state as regards the spiritual wants and "religious instruction of the people belonging to that establishment," to whom your Excellency would doubtless add at least a large proportion of that numerous class who are at present attending no schools nor following ministers of any accredited denomination.

2. I trust that no very long time will elapse before your Excellency will have found it possible so far to settle the principal questions of finance as to be able to adopt such a line of policy, as regards the religious and secular instruction of the people, as may dispel all uneasiness lest the Church establishment, instead of sharing in the hoped for improvement of our institutions generally, should command, under a new form of government, less influence for good than heretofore. I am perfectly certain that your Excellency will find upon inquiry that the most intelligent persons in our community entertain a strong opinion in favour of the maintenance of the established Church in the highest state of efficiency. I have already noticed the support which the establishment has almost uniformly received from members of Assembly of the Jewish persuasion. I might have added, that when the late G. W. Gordon, well knowing that the Church was one of the most effectual barriers against revolution, proposed the entire abolition of the establishment, he was left in a minority of one.

3. I do not know that my own position here will be held to preclude me from forming or expressing an independent opinion on this subject. It is true that it is my official duty as coadjutor bishop to promote in every way the welfare of the Church, but I do not forget that it is my duty as a subject of the Crown, as a citizen, and, still more, as a sworn member of Her Majesty's Privy Council, in whatever advice I may tender to your Excellency to regard the general interests of the Island.

4. I am persuaded that the day is far distant at which the maintenance of public worship and of a duly qualified ministry could safely be left to the voluntary contributions of a people such as ours. And there is evidently no reasonable alternative between the entire abolition of the establishment and its maintenance in an efficient state. A Christian minister may be left, as in some countries he is left, dependent on the contributions of a really Christian people. But if he be left dependent on the contributions of a people neither christianized nor even civilized, he will either be reduced to poverty or must use other means of gaining influence, and will be likely to forsake the duties of a pastor for the trade of a demagogue. The experience of other denominations does not by any means encourage a contrary expectation. If I am confident of a different result as regards education, it is because I rely in great measure on the efforts of the ministers of religion to encourage the voluntary contributions of the people. If an adequately paid and efficient ministry be first secured, education may be partly entrusted to the operation of the voluntary system; but to reduce the number of the ministers of the Church just when it is proposed to increase the number and improve the character of our schools, would go far to ensure the failure of any educational system.

5. And not only the numbers but the stipends of the ministers must be maintained at or nearly at their present amount. Such your Excellency will find to be the general persuasion. The stipends have already been reduced as far as it was considered they could bear in days of retrenchment, when the Church was less popular than it is now and the finances of the Island were in a more embarrassing condition. Men can, of course, be found to take Holy Orders, whatever the stipends; nay, the lower they are reduced the greater will be the number of candidates; but they will not possess the requisite qualifications. Our best clergymen—best, for the lower classes as well as the upper, are, not without some signal and gratifying exceptions, men who have been trained in English universities, and who bring with them to this country the associations, the habits, and the energy of Englishmen. They do much to infuse life into the whole clerical body and to improve its tone. But Englishmen are generally unwilling to expatriate themselves, and greatly dread our climate, and I have much and constantly-recurring difficulty in overcoming their scruples. Nor would this be possible at all if the stipends were much reduced. As it is, our clergy are not so well provided for as the Wesleyan ministers, though we have, nevertheless, had a recent and conspicuous instance of a secession from that body. Your Excellency will understand that I refer to Mr. Nuttall. He was the best Wesleyan preacher in Kingston. I incline to think that if reduction were necessary it should rather be in the number than in the stipends of the clergy.

6. I do indeed hold that in order to carry out some very important and desirable arrangements, tending to the comfort and advantage of the clergy, and also to their general efficiency, it would be expedient to make a reduction in the amount of the stipends for the first five years of incumbency, in order to raise a fund for the purposes referred to. This would not discourage men of superior qualifications from entering the diocese, more especially with such modifications in their favour as I am ready to propose. But I am not prepared to propose any reduction in the total sum now appropriated to the payment of stipends.

7. The exertions now making by the Jamaica Church of England Home and Foreign Missionary Society to increase the number of catechetical stations, under the conviction that it is impossible for the most zealous and active clergymen to provide duly for the spiritual wants of the people around them without such aid, may be submitted to your Excellency as a strong proof that we are not too numerous a body. I have taken the liberty of forwarding herewith copies of my primary charge, of the charge of 1862, of an address to the clergy, and of the last report of our missionary society in further illustration of these remarks, noting such passages as I would wish your Excellency to refer to.

8. Reverting to the subject of paragraph 6, I must proceed to explain the purposes of the reductions above mentioned. In England "If the bishop of any diocese shall be of opinion that the duties of any

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cure are inadequately performed," he may appoint a simple and inexpensive commission; and if their report confirms his opinion he may require the incumbent to provide a curate whose stipend, "except in case of negligence," shall not exceed the amount which would by law be payable if the incumbent were non-resident. I cannot conceive anything better calculated to secure ministerial efficiency; and I have often wished and have endeavoured to have such a regulation enforced in this diocese. There has, however, been a difficulty arising from the difference in the necessary amount of a curate's salary in England and in Jamaica. In this country, to require a clergyman whose duties were inadequately performed, not from negligence, but from age or infirmity, to provide a curate, with a salary as in England, often not exceeding 70*l.* or 80*l.* a year, would be simply nugatory, and to require him to provide a curate with a sufficient salary of say 200*l.* a year out of his stipend would be oppressive and generally ruinous. In such cases and also in cases of complete incapacity after long continued service, such as those of Mr. Hylton, Mr. Rowe, and I fear I must add Mr. Stearne, the fund I propose would provide an adequate amount of assistance. I may venture to trouble you with some details; they are few and simple. From a calculation embracing the last eleven years, I find that the number of clergymen whose stipends would be reduced, would be nearly twenty at one time; the average amount of reduction would be between 50*l.* and 60*l.* on each of the stipends, effecting a saving of upwards of 1,000*l.* a year. The number of clergymen for whose benefit the fund would be applied would in future average about ten, so far as I can judge from the lists now before me, though the present demands upon it would exceed that number. I think this scheme preferable to that of an ordinary Superannuation Act which provides only for cases of complete retirement from duty. The aged rector requires help, but he is still serviceable in the church and the schoolroom, in the general management of his parish, and in directing and training his more youthful assistant.

9. The only quarter in which in my opinion a reduction can be advantageously effected in the amount of the funds devoted to ecclesiastical purposes, is in that of parochial expenditure. I forward for your Excellency's inspection the return of the expenditure which I have lately received from the Executive Committee Office, together with a short abstract of its contents. I have conferred on this subject with all my commissaries, including the Archdeacon of Cornwall, and I find that their opinion agrees with my own. We think that the congregations of our several churches may not unreasonably be required to provide what is necessary for the decent maintenance of divine worship, in consideration of the saving of cost to the country and of the advantages which may at the same time accrue to the Church. The amount of this expenditure for each of the two years last past has been about 8,500*l.* If your Excellency will allow 4,500*l.* of this sum to be devoted to ecclesiastical and educational purposes, combined or separate, in the modes hereafter to be briefly indicated, I believe the remaining 4,000*l.* a year, subject to any compensation which the Government may be disposed to allow to Church officers, may be saved on the estimates. With the other portion I could add very greatly to the efficiency of the Church, and also to the number of scholars receiving a superior education in Church schools, while there will still be sufficient resources left for the general education of the people, whether in Church schools or those of any approved denomination.

10. Upon the subject last referred to—our means of educating the people—it may be most expedient now to enter. I have in a previous letter stated to your Excellency that I believed I was prepared to show that our schools might be improved and multiplied to any extent required, without any additional expenditure. In the first place I would make it an indispensable condition that in all schools assisted by Government or superintended by any person receiving any pay from Government, the instruction given should not be wholly gratuitous. The ability of the parents to pay for their children's education at least partially is beyond question; they already do so in nearly all dissenting schools and in the majority of Church schools. Not including the Church schools it appears that the average sum paid by each pupil for fees exceeds 6*s.* 8*d.* a year. If it should be urged that parents would be unwilling to contribute a fair amount towards the education of their children, I can only reply that experience has shown that the attendance at schools where a moderate payment is required is generally as good as in schools where the education is gratuitous.

There are exceptions to this general rule. In the vicinity of a free school the people are apt to suspect that an attempt is made to impose upon them if payments are demanded, and as respects Church schools, there is in many places a notion, that as our churches are open to all without payment, our schools should be so likewise. And where payments have once been remitted, there is great difficulty in re-imposing them. But if payments were demanded in all cases by authority of the Government, they would be made far more willingly than now. It would be indispensably requisite to carry out a regulation to this effect rigorously and thoroughly. The charitable trusts, such as Beckford's and Smith's in Spanish Town, Mannings, Munro, and Dickenson's &c. must all be subjected to the operation of this rule, at least as respects such portions of their funds as are not now applied in strict accordance with the terms of the original trust deed; and every clergyman or other person receiving public pay must be compelled to observe it even if funds be placed at his disposal over which the Government has no control. I am not now advocating this plan for the first time. I have done so for the last ten years. The cases of orphan children and children of paupers are exceptional, and should be treated as such. I do not mean to contend, that the enforcement of the regulation which I recommend, would of itself ensure the attendance of all or more than a comparatively small number of the children needing instruction. I simply contend, that were the Government to provide a Gratuitous education, they would not ensure a much larger attendance.

11. I much doubt whether it would be possible to introduce a system of compulsary education in the usual sense of that term. Perhaps, if we had such a bastardy law as Jamaica requires, it might be practicable to compel the fathers of illegitimate children to pay for their schooling. This would at once provide for the majority of the children needing education, for those most needing it and those least likely to get it otherwise. But this matter must be reserved for future discussion.

12. The payments should average threepence per week, according to age and other circumstances. At present the payments in dissenting schools average rather more than two pence per week, and when the generally inferior quality of the the teaching is considered, one can entertain no doubt that were the quality improved somewhat larger payments would be quite as regularly made. The

masters, too, would be more zealous, and more strict in requiring their fees if their salaries and even their situations depended on their own exertions and their compliance with the regulations of the Government.

13. Fees, at the rate of threepence per week, may be reckoned as amounting to eleven shillings per year for forty-four weeks out of the fifty-two. But I shall here assume the amount at ten shillings a year, which I think I can show would sufficiently supplement our present available resources. I must here beg leave to refer your Excellency to the accompanying copy of the Report of the Board of Public Examiners, pages 9 and 10. There is great difficulty in dealing with the "Schools not inspected," and I shall leave them out of consideration altogether. Instead of 11,205 scholars in 289 schools, I would substitute on the supposition of some increase of prosperity, 300 schools, with an average of 50 scholars in each, or 15,000 scholars, giving for each school fees on the average amount of 25*l.* Assuming the grants from the Executive Committee and the vestries to be as in 1864, we have from these sources 3,660*l.* With the greater part of the sums received from "Various Societies," &c. I am unable to deal, as these are paid to the masters of dissenting schools, from their respective denominations in England, and are not under the control of the Government. But with 1,000*l.* which proceed from church societies in England, we may venture to deal and add it to the 3,660*l.* above mentioned. And to this again we may add, I believe, not less than 2,000*l.* out of the sum of about 5,400*l.* the annual income of the endowed school referred to in paragraph 10 as being "not now applied in strict accordance with the terms of the original trust deeds," and as being therefore applicable to educational purposes throughout the Island generally. Of this sum of 6,660*l.*, I propose to devote 6,000*l.* to the payment of the salaries of schoolmasters, in, according to the above supposition, 300 schools, raising the stipends to an average of 55*l.* each, which is more than necessary.

Or, to take another estimate, on the supposition of an increased number of schools, and larger average attendance we may assume as follows.:

Schools under inspection	350
Average in each	60
Total of scholars	21,100
School fees	£10,500
Other resources	£6,000
Total income	£16,500
Average for each master	£47

Or it may be assumed that there would be 70 schools of an elementary character, with stipends at 27*l.* each, 70 with 37*l.*, 70 with 47*l.*, 70 with 57*l.*, 70 with 67*l.* It will be observed that in the above estimate is not included the large sum of about 3,000*l.* or upwards, received by dissenting bodies in this country for educational purposes (the Mico School and that at Fairfield not being included). I am unprepared to suggest the mode in which this sum should be rendered available as part of the general resources of the country to be calculated upon by the Government. I will only assume that with so large a sum excluded from my above estimate ample provision may in some form be made for school requisites, school prizes and rewards to masters, even in 350 schools and with 21,000 scholars.

14. I have not, however, yet exhausted all educational resources. If the Government will place in the hands of the Bishop under any conditions which do not restrict the fair appropriation of the money to religious and educational purposes the sum of 4,500*l.* a year, a portion of what it is proposed to save from the parochial expenditure for ecclesiastical purposes, I will undertake, if life is spared to me, to strengthen the Church and multiply her schools by adding within four years time 80 catechetical stations to the present churches with accommodation for not less than 5,000 scholars, paying all expenses for buildings, for school requisites, and for the decent performance of divine service on the Lord's Day without calling further on the Government.

15. In the remarks and suggestions above submitted, I have confined myself to questions connected with the expenditure of public money upon ecclesiastical and educational purposes: and I think I have amply shown that after making a sacrifice of 4,000*l.* a year both purposes may be provided for to the utmost extent that can be requisite for many years to come.

But after the system of regular payments of school fees have been long enough in operation to be generally acquiesced in, I do not say, nor care to say very willingly, I would propose to attempt a further scheme which I have long and ardently desired to see realized as productive of great advantage both to masters and scholars, I mean the introduction of the industrial element into all our larger schools. At present I will not enter into details. To do so would double the length of this despatch. I will merely state my belief that such a system could be engrafted on the preceding one, scholars who worked industrially being excused, at first half, then all their former fees. The children's labour would on the average be worth more than 1*l.* per annum each. At a penny a day for two days out of three per annum, it would be worth just one pound and threepence. Under such a system we could have 50 or 60,000 children in school, at no greater public expenditure than at present, and with incalculable advantage to the country, through the greater development of our internal resources.

I shall be very happy to confer personally with your Excellency on any of the matters above referred to, or on which you may wish to see me at any time convenient to you.

I have, &c.

His Excellency,
Sir Henry Storks, G.C.B.

(Signed) REGINALD KINGSTON.

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The BISHOP OF KINGSTON to Sir J. P. GRANT.

SIR, Savanna la Mar, September 13, 1866.

YOUR Excellency will doubtless have received earlier intelligence than has reached me in Cornwall, of the decease, on the 4th or 5th instant, of the Rev. William Girod, rector of the parish of St. David.

I am not sure whether the turn to present to this rectory rests with your Excellency or with me.

I do not therefore make any positive recommendation of anyone, but, acting as I should do if the turn be with your Excellency, I offer to your Excellency some information and suggestions on the subject.

The two persons whose claims appear to me to take precedence of those of others are, 1st. The Rev. Samuel Jackson, Island curate in the parish of Port Royal; and 2nd. The Rev. Mr. Richards, Island curate in St. Thomas-in-the-Vale.

I enclose a letter from the former, which might incline your Excellency strongly in his favour; but it is only right that I should inform you that on the occasion of Mr. Jackson's refusing the second offer of a rectory made to him he stated that he should not again be a candidate for a rectory. Moreover, Mr. Jackson has one of the most eligible curacies, in respect of climate, and comparative lightness of duty, of any clergyman in Jamaica; and is married, but with no family.

On the other hand Mr. Richards is in point of seniority among the older Island curates, and with a very numerous family of young children, and though of less standing than Mr. Jackson, has probably equalled him in the amount of pastoral work he has done, and much more than equalled him in the numbers of his congregation and in influence with his people. His claims seem to me to preponderate.

The Rev. George Cheyne (now absent on leave) Island curate of St. George's, Kingston, is a clergyman of whom even more might be said,—of the very same nature,—than of Mr. Richards. He is of somewhat longer standing, with as large a family, and services rather more eminent.

I have, &c.

His Excellency, Sir J. P. Grant, K.C.B. (Signed) REGINALD KINGSTON.
&c &c. &c.

Sir J. P. GRANT to the BISHOP OF KINGSTON.

MY LORD, King's House, 2nd October 1866.

HAVING given my best consideration to the question opened by your Lordship's letter to me of the 13th ultimo, reporting the death of the late rector of Saint David's, I have come to the conclusion that it is very advisable, on all public grounds, that this rectory should remain vacant until a new scheme for supplying the ecclesiastical wants of this Colony shall have been matured and approved.

The approaching expiry on the 31st December 1869 of the Statute 22 Vict. cap. 23., will force this difficult question upon our attention at no distant time; and the less hampered the Government may be by seasonable claims to personal consideration when that time comes, the better for the great public interest involved.

Moreover, the immediate and urgent need of additional expenditure in some departments which are starved at present, such as those of police and education, makes me very anxious at this moment to take advantage of every opportunity that occurs of saving expense unobjectionably and without hardship to individuals in those departments which are not in that condition.

Whatever scheme for the ecclesiastical department may be determined upon, whether the aggregate charge be much reduced or not, it seems to me certain that one part of any scheme that shall be reasonable in point of expense, and suitable to the circumstances of the people, must be a material reduction in the number of the present high class of clergymen, with an increase, it may be hoped, of some less expensive and subordinate agency. If so, the gradual reduction in the present number of rectors and curates, as vacancies occur, has been deferred too long.

If your Lordship should think that any other station can be left vacant in preference to the rectory of Saint David's, it will probably be easy to make a suitable arrangement by the transfer of some stipendiary curate to Saint David's, unless some Island curate should desire a change to that parish without change of status or emolument.

I shall be very happy if your Lordship will favour me with your views on the subject of this letter.

I have, &c.

The Hon. and Right Rev. (Signed) J. P. GRANT.
the Bishop of Kingston.

Sir J. P. GRANT to the BISHOP OF KINGSTON.

MY LORD, King's House, 12th October 1866.

I HAVE studied with much interest the letter which your Lordship addressed to Sir Henry Storks, under date the 19th of April 1866, concerning the ecclesiastical expenditure of the Colony, and the promotion of education therein.

I shall not enter at present upon the last-named subject, nor do I propose now to consider more than one point connected with the ecclesiastical expenditure. The point which I desire to discuss in this letter is the parochial expenditure in the ecclesiastical department, amounting, as is correctly stated by your Lordship, on an average, to about 8,500*l.* a year in the aggregate.

For the sake of convenience, I give in the margin an extract of the whole of your Lordship's remarks on this point.*

I thoroughly agree as to the expediency of requiring the congregations of the several churches to provide what is necessary for the decent maintenance of Divine worship. I believe your Lordship's proposal to be an admirable one; I am sure that it will make the Church more popular here outside its own congregations; and I believe that it will have an excellent effect upon those congregations themselves, and upon their pastors also. I think it will enliven both; and certainly nothing can be fairer than this system. The poor will not be affected by the change, and those who are not poor will be asked for but a trifling contribution in comparison with that with which they are supplied gratuitously.

As a measure of economy, this reform is of no slight importance. It will strike off at a blow something like a fifth part of the gross cost of the Church in the Island, and so will go some way to satisfy those not illiberal nor unthinking people who object, not to the existence of the Established Church in Jamaica, but to its excessive cost, as compared with the practical extent of its ministration and the revenue of the Colony. And this measure will afford what at this moment is very important—aid to the Colonial Treasury.

This one piece of economy will liberate funds almost enough to relieve us from the great opprobrium of the Colony by providing for an adequate and a paid parochial administration of both civil and criminal justice; a reform which must be of great benefit to every class, and certainly will be of incalculable benefit to the small proprietors, renters, cotters, and labourers of whom the great mass of our population is composed.

I am gratified to learn that your Lordship, and those whom you have consulted, anticipate no difficulty in carrying out this measure.

If the congregations are made aware of the great good which may be expected from this change of system, I feel confident that they will accept their new duty with pride and pleasure.

The estimates of parochial expenditure, which, as your Lordship knows, are examined and sanctioned by the Government, and are provided for out of the general revenues, have been passed (this and other reforms being in view) only for the first quarter of the current financial year; that is to say, up to the 31st of December next. This, I hope, will allow enough time for the parochial clergy, under your Lordship's instructions, to organise the new system; so that the general revenues will be wholly relieved from this charge on the 1st of January next.

On hearing from your Lordship that no unforeseen difficulty has arisen, and that your Lordship is prepared to communicate with your clergy on the subject, I shall be prepared to announce this measure to the parochial authorities.

Appended is a statement of the annual rate of expenditure in the Ecclesiastical Department, which has been sanctioned for one quarter of the current year, in each parish. At this rate the amount for the whole year would be 6,629*l.*

I wish that I were in a position to say that one half of this saving could be allotted to education, or to education and some minor ecclesiastical objects combined, as your Lordship most reasonably asks. If that were possible which I myself desire most, not half, but the whole, of the saving would be allotted to education. No one more clearly sees than I do the inadequacy of the pittance now granted from the State revenues for the purpose of education. No one is more anxious than I am that at least a decent contribution should be devoted by the State to what is here a State duty of peculiar importance. But I am not in a position to make promises; nor will it be possible for any one to say what can be done in this way for some months to come, when the results of the financial measures in contemplation can be calculated with some confidence.

I have, &c.
(Signed) J. P. GRANT.

The Hon. and Right Rev.
the Bishop of Kingston.

The BISHOP OF KINGSTON to Sir J. P. GRANT.

SIR, Montego Bay, 8th October 1866.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 2nd instant, No. 1,575, respecting the late vacancies in the Church establishment.

I can but acquiesce in the propriety of your decision not to incur fresh obligations, so long as there is any reasonable doubt remaining whether they can hereafter be met. Your Excellency will, how-

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* "The only quarter in which, in my opinion, a reduction can be advantageously effected in the amount "of the funds devoted to ecclesiastical purposes is in that of the parochial expenditure.

"I forward for your Excellency's inspection the return of this expenditure which I have lately received "from the Executive Committee Office, together with a short abstract of its contents.

"I have conferred on this subject with all my commissaries, including the Archdeacon of Cornwall, and I "find that their opinion agrees with my own. We think that the congregations of our several churches may "not unreasonably be required to provide what is necessary for the decent maintenance of Divine worship, "in consideration of the saving of cost to the country, and of the advantages which may at the same time "accrue to the Church.

"The amount of this expenditure for each of the two years last past has been about 8,500*l.*

"If your Excellency will allow 4,500*l.* of this sum to be devoted to ecclesiastical and educational purposes, "combined or separate, in the modes hereafter to be briefly indicated, I believe the remaining 4,000*l.* a year, "subject to any compensation which the Government may be disposed to allow to Church officers, may be "saved on the estimates.

"With the other portion I could add very greatly to the efficiency of the Church, and also to the number "of scholars receiving a superior education in Church schools, while there will still be sufficient resources left "for the general education of the people, whether in Church schools or those of any approved denomi-"nations."

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ever, permit me to refer you to the letter of 19th April last, which I addressed to Sir Henry Storks at his Excellency's desire, in which I endeavoured to show that without making any reduction at all in the number or amount of clerical stipends, the annual sum of about 8,500*l.* might be saved; and further, that if only a fair and reasonable proportion of the expense were paid by the parents, as many children at least as can be got into our schools for many years to come could receive a good education without any additional charge to the country.

I am not at present prepared to make any arrangement in conformity with your Excellency's suggestions respecting the removal of some stipendiary or Island curate to St. David, but I will give the subject immediate attention.

I may be permitted to observe that I believe it would be to the advantage of the Church if power were given by express legal enactment to the Governor and Bishop conjointly, at their discretion to remove Island curates as well as stipendaries, and even rectors also, from one district or parish to another, and that if any considerable time should elapse before a scheme for supplying the ecclesiastical wants of the Island can be matured, such a power of disposing the clergy to the best advantage would become especially desirable.

I have, &c.,

His Excellency Sir J. P. Grant, K.C.B. (Signed) REGINALD KINGSTON.
&c. &c. &c.

Sir J. P. GRANT to the BISHOP OF KINGSTON.

MY LORD, King's House, 25th October 1866.

I HAVE to acknowledge your letter of the 8th inst., and to refer your Lordship to my letter of the 12th inst., respecting the saving to be effected in the expenditure for ecclesiastical purposes, by imposing on the congregations the miscellaneous charges which have hitherto been borne on the parochial estimates. Although that saving will be important, yet, looking only to the financial question upon which everything depends, I cannot see that there is a possibility of the Colony being able, even after the above economy, to maintain the present number of clergymen.

It seems to me, therefore, that the reasons in my letter of the 2nd instant retain their force.

But I hope to have the advantage of personal consultation with your Lordship on the question, when your Lordship's visitation is completed. Meanwhile the matter will remain as it is.

I quite agree with your Lordship in the proposal made in the last paragraph of your letter, to legalize the removal of rectors and Island curates from one district to another. And if your Lordship will favour me with the draft of a law to effect the object, I will give it immediate attention, in view to its presentation to the Legislative Council.

I have, &c.

The Hon. and Right Rev. (Signed) J. P. GRANT.
the Bishop of Kingston,
&c. &c.

The BISHOP OF KINGSTON to Sir J. P. GRANT.

SIR, St. Dorothy's, 25th October 1866.

I HAVE the honour to acknowledge the reseipt this day of your Excellency's letter (No. 1731) bearing date October 12th, but in an envelope from my secretary with a postmark of the 22nd.

I am gratified to find that your Excellency approves of the mode in which I proposed to reduce the ecclesiastical expenditure, and that my views coincide with those which you had previously been inclined to adopt. And I have to thank your Excellency for the statement forwarded with your Despatch of the items which will be allowed to the several parishes for Church purposes for the present quarter of the financial year.

It only remains for me to assure your Excellency of my readiness to carry out the intentions of the Government, and to prepare the clergy and their congregations for the change contemplated, by addressing to them a circular explaining what is intended, and pointing out the justice and reasonableness of the measure, and, what I concur with your Excellency in deeming to be, its positive advantages to our congregations themselves.

I do not doubt that by the 1st day of January next all or nearly all our congregations will be prepared to accept their new responsibilities.

I observe with much satisfaction that your Excellency has postponed for the present all consideration of that part of my letter of April 19th which related to the question whether the clergy were too numerous, or were too highly remunerated in proportion to the amount of services actually rendered by them to this community.

I know that I speak the sentiments of very many of my brethren in the ministry when I assure your Excellency that there is nothing which we desire more than a most searching inquiry into the actual amount of work done by us as compared with that done by others, and the actual number of persons who benefit by our labours, as compared with that of those who receive the ministration of others.

In such an inquiry I should be glad to assist your Excellency in every way in my power; recognizing, I trust fully and cordially, the obligations of all who are in authority ecclesiastical or civil to seek above all things "the greatest good of the greatest number."

I have, &c.

His Excellency Sir J. P. Grant, K.C.B. (Signed) REGINALD KINGSTON.
&c. &c. &c.

The Bishop of Kingston to Sir J. P. Grant.

Sir, Kingston, November 6, 1866.

I have the honour to enclose to your Excellency two copies of the circular to the clergy respecting the cessation of parochial allowances.

I have, &c.

His Excellency Sir John P. Grant, K.C.B. (Signed) Reginald Kingston.
&c. &c. &c.

Circular.

Reverend and dear Brethren, Kingston, November 1, 1866.

As you have perhaps already heard, it is the decision of the Governor in Council not to continue beyond the close of the present year the parochial allowances hitherto granted for ecclesiastical purposes.

I hope that you will, on due reflection, recognize the necessity, the equity, and the expediency of this measure, and that you will succeed in the endeavour to induce your congregations to accept their new responsibilities with all readiness of mind. The state of the finances imperatively called for retrenchment; and I concur in the opinion of the Governor, that a measure which would stimulate our congregations to make some personal efforts and sacrifices, for the due maintenance of Divine Worship, would not be disadvantageous to the Church. "It will tend," as his Excellency remarks, "to make the Church more popular outside its own congregations;" and it will tend to show those persons their mistake, who refuse even to pay for the education of their children, from the notion sometimes sedulously instilled into their minds by persons who are not of our communion,—that those who belong to the Church are to be exempted from all payment of the kind, the State being bound to provide for them. By this change, "the poor," as the Governor further remarks, "will not be affected; and those who are not poor, will be asked for but a trifling contribution in comparison with that with which they are supplied gratuitously."

You will do well to press this point upon the consideration of your people, and so to seek to convince them of the equity and reasonableness of the new demand to be made upon them.

The inevitable necessity for some reductions in the ecclesiastical expenditure has, for some time, been manifest; and judging no other mode of reduction to be so eligible as this, I myself proposed it to the Government in April last; and having more recently submitted it to Sir John Peter Grant, I found that it had been already under the consideration of his Excellency, and that there was an entire concurrence in our views upon this subject.

Though it cannot be denied that the system under which the stipends of Church offices have hitherto been granted, was susceptible of much improvement, and the stipends themselves were sometimes excessive, yet I cannot contemplate without deep concern the distress which the proposed change threatens to bring upon some very deserving individuals. Many of our clerks are also schoolmasters, and gain no more than a competency from both offices combined—and there is reason to apprehend, not only that they will be exposed to want, but that some of them may be compelled to seek other means of support; and their schools may, in consequence, be closed. In my opinion, your very first care should be to endeavour to prevent this evil, by means of special collections in augmentation of the stipends of these schoolmasters, at least for the next six months. In my own opinion, although no increase of the present educational grants will be practicable at so early a date, yet by proper legislative measures, viz.; by an enforcement of the rule of demanding, in ALL cases, a moderate contribution from the parents of school children, aided by a better application and distribution of the various funds now available, a fair provision could be made for a greater number of masters than we have at present. A few of those whose stipends as clerks will be reduced, or wholly lost to them, will, I can venture to promise, find compensating employment as catechists and lay-readers. I have every hope that your people will cheerfully provide for the maintenance of congregational psalmody in as creditable a style as heretofore.

The appointment and dismissal of all Church offices ought, I conceive, to devolve upon the incumbent, or officiating minister, with an appeal to the bishop by any member of the congregation, but this matter shall be referred to the Governor; and I anticipate no difficulty in obtaining a legal settlement of this matter, and a special enactment will, I conceive, be required to regulate the amount of fees to be paid for the burial of the dead, and for the attendance of an officer of the Church at marriages; but there should be no charge whatever for baptisms.

Although there can be no doubt that the renting of seats in our churches would afford a ready means of collecting the funds required for any of the above-mentioned objects, the law at present prohibits this, and there appear to me to be some grave objections to it.

I offer these suggestions to you, my reverend brethren, after Consultation with my Commissaries, and others of the clergy, as the best we can now devise, but subject, of course, to be corrected by future experience.

I earnestly hope that you, yourselves, brethren, and many also of the people committed to your charge, influenced by a zeal for God's honour, and an enlightened attachment to our Church, will undertake your new duties gladly and willingly, and that your offertorial collections for the sick and the poor, and your contributions, now sent in from more than three-fourths of our churches, for missionary purposes, so far from suffering diminution, will rather be increased, as they surely will be if your people duly remember the words of the Lord Jesus, how He said, "it is more blessed to give than to receive."

I am, &c.

(Signed) Reginald Kingston.

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Circular to Clerks of the Vestries.

Sir, Financial Secretary's Office, November 7, 1866.

I am directed by the Governor to acquaint you, for the information of the parochial authorities, that his Excellency has, after consultation with the Bishop of Kingston as the chief ecclesiastical authority in the Island and with his Lordship's concurrence, determined to relieve the parishes of the expenditure heretofore incurred by them for ecclesiastical purposes.

I am therefore to state that after the 31st of December next no provision will be made by the State for any of the services heretofore included under the head of "Church purposes" in the parochial estimates, except for the repairs of churches, &c.

It is considered that the congregations attached to the several churches and chapels of the Island may with propriety and advantage be called on to contribute the funds required for any other objects of parochial church expenditure.

I am, &c.
(Signed) Henry T. Irving.

No. 13.

No. 13.

Copy of a DESPATCH from Governor Sir J. P. Grant, K.C.B., to the Right Hon. the Earl of Carnarvon.

(No. 62.)

King's House, December 8, 1866.

My Lord, (Received, January 1, 1867.)

I have the honour to transmit to your Lordship herewith copy of a letter from the Inspector of Prisons, enclosing a return of the number of prisoners committed to prison for larceny of growing crops during the years ended 30th September 1865 and 30th September 1866, showing a decrease of 742 on the last year.

2. I have directed the clerks of the peace to distinguish in their periodical returns larcenies of growing crops from other descriptions of larceny, so as to show accurately the progress of this peculiar crime.

I have, &c.
(Signed) J. P. GRANT.

The Right Hon. the Earl of Carnarvon,
&c. &c. &c.

Encl. in No. 13.

Enclosure in No. 13.

The Inspector of Prisons to the Colonial Secretary.

Sir, Inspector of Prisons Office, November 28, 1866.

In reply to paragraph No. 6 of your letter dated 16th instant, I have the honour to herewith hand you a return of the number of prisoners sent to the general penitentiaries and district prisons, convicted of the larceny of growing crops during the years ending 30th September 1865 and 30th September 1866, showing a decrease of 742 on the last year as compared with the year ending 30th September 1865.

I have to remark that this return may not be quite correct, as the commitments, especially from the Circuit courts, only state the offence to be larceny, so that the prison authorities have no way of telling whether it is of growing crops or not. The police and magistrates' courts are better in this respect, as they generally name the offence. I would most respectfully suggest that instructions might be given to he clerks of the peace and magistrates' clerks to be more particular about specifying the crimes.

I have, &c.
(Signed) H. B. Shaw,
Inspector of Prisons.

The Hon. Henry T. Irving,
Colonial Secretary.

Return of the Number of Prisoners committed for Larceny of Growing Crops to the General Penitentiaries and District Prisons, for the Years ending 30th Sept. 1865 and 30th Sept. 1866.

—	1865.	1866.	Decrease.	Remarks.
General Penitentiaries	101	50	51	
St. Katherine's District Prison	272	151	121	
Falmouth District Prison	439	210	229	
Montego Bay Female Prison	45	32	13	
Mandeville District Prison	242	119	123	
Rodney Hall District Prison	96	36	60	
Morant Bay District Prison	91	32	59	
Hanover District Prison	156	111	45	
Cornwall County Gaol	108	67	41	
St. Mary's District Prison	52	93	—	Open 6½ months in 1865.
	1,602	901	742	

No. 14.

Copy of a DESPATCH from Governor Sir J. Peter Grant, K.C.B., to the Right Hon. the Earl of Carnarvon.

(No. 64.)

King's House, December 8, 1866.
(Received, January 1, 1867.)

My Lord,

I have given my best consideration to your Lordship's Despatch No. 58* of the 1st of October, in which you desire me to furnish a report on the question of granting retiring pensions to the civil officers of this Government. * Page 96.

2. When offices have been abolished (as in the case of the chairman of quarter sessions), or put upon a new footing (as in the case of the late judges of the Supreme Court), it has been the practice in Jamaica to grant the holders compensation, in the shape of a pension, or of a sum of money equal to a certain number of years' pay; but in no other case, hitherto, as your Lordship is aware, has there been any system of superannuation in Jamaica, and the officers hitherto appointed have accepted their offices with no expectation of receiving pensions at the end of their service, and have no claim upon the Government in this respect.

3. At the same time I believe that Her Majesty's Government regard a system of superannuation as a wise and salutary principle that ought to be adopted, that such a system is in force in all the departments of the Government at home, and in all the Colonies that are directly under the control of the Crown; and that it has only failed to be introduced in Jamaica, through the opposition of the late Legislature.

4. Nor can it fairly be said, in my opinion, that the salaries of the officers of the Government here have been regulated by any consideration that they are not entitled to pensions, or that the officers have on this account received higher salaries than would otherwise have been allowed. It seems to me as though it had been assumed here, that all officers would continue to hold office until their death, whether they continued capable of doing their work or not. A comparison of the salaries in Jamaica with those of other Crown Colonies of the same character will show, I think, that the officials here, though unnecessarily numerous, have not been highly paid.

5. In the cases, therefore, of those officers who hold their offices practically during good behaviour, and whose salaries are not liable to alteration after a given date, I think that the absence of any claim founded on agreement with the officers when they entered the service, might be overlooked, and that whatever scheme of superannuation may be adopted, in regard to officers hereafter to be appointed, might be extended to those already in the service, on the ground that this benefit ought to have been conceded before, and would have been conceded had the late Legislature been guided by the principles which are followed by Her Majesty's Government in this respect. I believe that the public service will find its advantage in this liberality.

6. It is not desirable now to permit any one to continue in an office, the duties of which he may become permanently incapable of properly performing. And to withhold superannuation allowances altogether would be a hardship to many deserving officers who may have done their duty faithfully, and for many years, and would at the same time be a cause of great embarrassment to the Government, who would find themselves debarred, by feelings of a natural reluctance, to consign men to what in many cases might be positive want, from getting rid of inefficient or useless servants. And some superannuation allowances being conceded, it would, I think, be found very difficult to draw any line here, different from the regulation in force at home.

7. To all officers, therefore, whether in the service or to be hereafter appointed, who hold their offices during good behaviour, and whose offices or salaries are not dependent on temporary laws, I would recommend that the provisions of the Imperial Superannuation Act should be made applicable.

8. There are, however, classes of public servants here whose offices are for life, but the rate of whose salary has ever been fixed, from time to time, by temporary laws; at the expiration of each of which it has been the not unfrequent practice to alter the salaries for another term of years, such alteration being in the way of reduction. The clerks of the vestries, and the clerks of the peace and of the magistrates, are in this predicament. The salaries now fixed for the former come to an end on the 31st of March 1870, and those now fixed for the latter come to an end on the 31st of December 1866. Should any of these offices be abolished by law after the expiration of the statutes now in force by which their salaries are fixed, it appears to me that it would be equitable to apply to their cases the English rule of one sixtieth of the salary for every year of service, without increase by reason of the abolition of the office. For in these cases a reasonable

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reduction of salary, at the expiration of the present law, must have been always considered, not merely a possible but not an improbable contingency.

9. There is also a class of recipients of salary, to a very large aggregate amount, namely, the colonial clergy, who are on a still less stable footing. The law under which they have been engaged and paid expires on the 31st December 1869. When this law was passed, at the expiration of the previously existing temporary law, very large reductions of salaries were made, and had the old state of things continued, it cannot be shown that a similar course of reduction, either in rates of salary, or in the number of clergymen retained in the service, would not have been probable. In the case of this class of recipients of salary, I am of opinion that all claims of equity, and indeed of liberality, will be met by adopting the rule of one-sixtieth of the salary for every year of service, and restricting this maximum allowance in the case of retiring rectors to 200*l.* a year, and in the case of retiring curates to 150*l.* a year.

10. I think it would be well to introduce these regulations, in both the above classes of cases, immediately.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c. (Signed) J. P. GRANT.

No. 15.

No. 15.

Copy of a DESPATCH from Governor Sir J. Peter Grant, K.C.B., to the Right Hon. the Earl of Carnarvon.

(No. 65.) King's House, December 8, 1866.

My Lord, (Received, January 1, 1867.)

I have the honour to transmit to your Lordship herewith copies of a correspondence which has passed between the Bishop of Kingston and myself, on the subject of the reductions which can be effected in the Ecclesiastical Establishment of Jamaica during the continuance of the existing Clergy Act.

2. I trust that I shall receive your Lordship's sanction to the arrangements proposed in my letter to the Bishop of 5th instant, and especially to that part of them which depends on the grant of pensions to those of the clergy who are unfitted by age or infirm health to perform the duties of their livings. In my Despatch No. 64* of the 8th instant I have addressed your Lordship on the subject of the superannuation of the officers generally of this Government, and the grounds on which, while I have recommended the adoption of the English Superannuation Act as a general rule, I am of opinion that the pensions of the clergy should be limited to a maximum of 200*l.* in the case of rectors, and 150*l.* in the case of curates. It is of vital importance to the efficiency of the Church that it should be relieved from the incumbrance of men who have become incapacitated for their work, and this can only be done by enabling the Government to procure the retirement of such men by the offer of pensions. I believe that the scale of superannuation which I have suggested will be found sufficient for this purpose, while I think it is as high as the clergy have a right to expect, under the conditions on which they hold their appointment. I venture, therefore, to hope that this arrangement will meet with your Lordship's approval.

* Page 25.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c. (Signed) J. P. GRANT.

Encl. in No. 15.

Enclosure in No. 15.

Sir, Bishop's Lodge, November 15, 1866.

Since the receipt of your Excellency's despatch of the 2nd October, intimating your opinion that the expenditure for ecclesiastical purposes has been disproportionately and unreasonably large, and that a saving on the parochial allowances of more than 8,000*l.* a year would not be large enough to be satisfactory, I have been laboriously occupied in endeavouring to frame a scheme for further reductions, sufficient to meet the reasonable and necessary requirements of the Government, and at the same time such as would least diminish the efficiency of the Church.

2. I may be forgiven for expressing my disappointment and sorrow in finding myself engaged in a task of this nature, at a time when I had hoped to be employed in suggesting methods for extending the ministrations of our Church further than before, over those whose souls at present no man cares for.

3. The scheme I have devised and nearly matured involves the discontinuance of fourteen Island curacies, one Island stipendiary curacy, and virtually that of two rectories, besides a prospective reduc-

tion in the value of all the remaining rectories except one. This scheme, if at once put into operation so far as is practicable at present, would probably reduce the expenditure by about 10,000*l.* within the next twelve months, after providing pensions for six or seven invalided or aged clergymen, and it would eventually effect a total saving of nearly 13,000*l.* a year, or if the letting of seats in our churches should hereafter be found expedient, the total saving may amount to nearly 14,000*l.* a year.

4. I am quite aware that even this large reduction could not be deemed sufficient, if retrenchment in this direction could be carried further without any serious injury to the most vital interests of the Colony; but I am deeply persuaded—I will not hesitate to say I know—after more than thirteen years' acquaintance with the working of the Church in this Island, with the results of its ministrations, and with the condition of the people, after having repeatedly traversed every part of it with a view to further Church extension, made numerous inquiries on the spot or by letter respecting the wants of the outlying districts, after anxious conference with my commissaries, and more than a month's sedulous attention to this question principally, that any material reduction beyond what I have to propose will be most seriously detrimental to religion and to the welfare of the people, and would be a measure directly retrograde.

5. It seems to me that I have exhausted every expedient and resource which my own or others' ingenuity could devise for doing nearly the same amount of spiritual work with a greatly diminished number of labourers. In a few instances indeed the changes to be proposed would be in no respect objectionable; yet on the whole the people must suffer some loss. It is only about eight years since ten curacies were added or replaced by the Government, in answer to memorials and petitions from various parts of the Island, in which, in consequence of the withdrawal of certain grants from England, or for other reasons, catechists had been substituted for clergymen.

6. Early in January last, confident that the clergy generally would recognize in the late unhappy rebellion the bitter fruit of ignorance, and national depravity, and mischievous teaching, and in the preaching of the Gospel and religious instruction of children the best (though not indeed the only) remedy, I issued a circular in which I spoke of the intention announced by our Missionary Society to double the number of our catechists, and besought the clergy to redouble if possible their own efforts. That appeal has been well responded to. Already our catechists are doubled and several stations opened besides, which are chiefly dependent on the clergymen themselves; several schools have been opened at the same places, or put under better teachers, and the amount of our missionary collections also has considerably increased. I mention this, not in order to prove what I will show more fully hereafter, that the clergy generally are working well, but to prove that they at least were convinced that there was more work to be done than they could possibly undertake in person, and great need, therefore, to obtain the help of a lay agency. Such agency we all feel is of great value. The agents, however, must be auxiliaries to the clergy, not their substitutes.

7. I see not how it can be maintained that our numbers are too great, or at least that they will be so if reduced as far as I propose, from 82 to 65. I do not include the two stipendiary curates paid wholly from British funds, nor the substitutes for such as are absent on leave, or suffering from sickness.

8. Assuming, which would be beyond the truth, that of our population of 460,000, 130,000 are wholly cared for by ministers of other denominations (for even the frequenters of Dissenting chapels come frequently and commonly to our ministers for the relief of their temporal wants, and in some cases for the baptism of their children), this leaves upwards of 5,000 souls (sometimes, for the divisions cannot be exactly equal, one person having not less than 7,000 or 8,000) to each of 65 clergymen. The difficult nature of the country considered, and the isolated position of very many residences of the people, one man could in England as easily visit double this number of persons. As I said in my primary charge of 1858, "not less than a fourfold augmentation would enable us to minister to all." With the help of lay agency we may do much. But it is not by Church services nor by printed homilies and catechisings, though these are good in their way, and infinitely better than what the people often get instead, but by the living voice, the personal presence, the visible example, of one whom they reverence or at least respect, that sin amongst our people must be rebuked and restrained.

9. I must not omit to remark that when, as must sometimes occur, one of these clergymen is temporarily incapacitated by sickness, his nearest neighbours will often have 10,000 souls, or more, nominally under his charge.

10. I believe that no one in this Island has been more forward than I have to recognize the value of catechetical services as auxiliary to those of the clergy; but it is extremely difficult to procure men to suit our purposes. The clergy have been repeatedly called upon to recommend to our Missionary Society persons in whom confidence can be placed, but with very partial success. And when your Excellency has resided long enough amongst us to acquire a personal knowledge of all classes of the people, I am confident that you will perceive that the difficulty of procuring an adequate supply of persons worthy to be entrusted with the solemn responsibilities of an ordained minister of the Gospel, out of any but the highest class, will be all but insuperable. Were our present catechists promoted to a higher grade, they would in most cases command still less influence than before. I wish the fact were otherwise, but it is not so.

11. If the number of our present class of clergy cannot bear reduction, so, I must very respectfully but firmly urge, neither can the stipends of the larger body of them, i.e. of the Island curates. I may quote on this subject the opinion of Governor Eyre, who, in correspondence with me, observed in January last, that a diminution of the numbers of the clergy "would be a less evil than a diminution of their stipends." The stipends of the Island curates have been reduced already. This was done at a time of great financial embarrassment, and when the Church was less generally popular than now, but I am not aware that any one proposed to reduce them below 340*l.* a year. With that amount of stipend the incomes of our Island curates are not equivalent to those of incumbents in England. The average value of an English living is 275*l.*, with generally a house; but not a few of these livings are of less than 100*l.* a year, and are often held in plurality, so that the average incomes of incumbents exceed the average value of livings, say by a tenth part, which would raise the incomes to 300*l.* a year, with generally a house, as against 340*l.* a year without a house. And the newly-appointed Island

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curate will actually receive, if my suggestions be adopted, for the first year only 240*l.*, gradually increasing up to 340*l.* in five years, the remainder going to form a fund for the future benefit of clergymen wholly or partially incapacitated, who in England are not compelled, generally speaking, to remove to another part of the world, or in any case to resign their preferment. Again, in cases of serious though temporary sickness in England, change of air when needed is easily procured, while the Jamaica physician will prescribe a voyage of 9,000 miles as a necessary restorative. And while in such cases the Island curate has to give up half of his stipend (in my opinion a very harsh and impolitic regulation), in England a curate is readily found for a stipend of 100*l.* a year. I should observe that the newly-ordained clergyman does not begin upon an Island curacy, but generally as Island curates' or rectors' substitutes, with about 160*l.* or 200*l.* And out of his full pay of 340*l.* a year, when he gets it, he will have to bring up his family and keep three or four horses, not for luxury, but duty. And he is by law required, moreover, to pay 25*l.* a year as his contribution to the Island Curates' Fund; this, however, I do not reckon as a disadvantage. Should he be told that the preservation of his life requires a year's absence in England or North America, he is nearly ruined; for his whole income for that year is less than 160*l.*, on which he has to maintain his family in Jamaica and himself abroad, to pay for his voyages and his doctor's bill. His creditors must all be paid before he leaves, and for the money which he must borrow, his life being often uninsurable, he pays an enormous percentage. He returns perhaps restored in health, but broke in fortunes, and saddled with a debt of 40*l.* or 50*l.* a year. Such cases, it is true, are not of frequent occurrence. Deterred by the expense, men put off their departure; though urged by their medical attendant to leave the Island, they remain at their posts endeavouring to work, and become permanently invalided or die. In other cases known to me, the Church suffers as well as the individual. The embarrassed clergyman cannot keep horses enough for his work, it becomes doubly fatiguing, and despondency, caused by his embarrasments, robs him of half his energies. The hope of obtaining a rectory sustains some, but the heavy fees (they ought to be abolished) and the expenses of removal swallow up the first year's additional income, and ten years elapse before the rector, if he lives so long, has paid off his debts. I am afraid that this picture may appear overdrawn; I believe it is not so. Could your Excellency seriously contemplate adding to difficulties like these?

12. A fair estimate of what is really necessary for a clergyman's maintenance may I think be found by reference to the allowances granted to ministers of that demomination by the Wesleyans.

In respect of income, not our Island curates only, but most of our rectors, all at least who have large families, would gladly change places with them, and it is not to be supposed that the society allows more than experience has shown to be necessary.

13. The facts of the case being as I have stated, I do not see that any fair reason could be alleged for further reducing the stipends or number of the clergy, except that it had been, not conjectured, but proved, to be financially impossible to retain them, unless on the assumption either that the clergy of Jamaica, as a body, are neglectful of their sacred trust, or else that their services are valued, their churches frequented, only by the upper or middle classes. I find the able writer of an article on Jamaica in the Quarterly Review for July last asserting, as if it were an unquestionable fact, that the clergy of the Church of England have no influence over the mass of the people. Those he fancies to be under Baptist ministers, whose influence, however (as he rightly believes), is greatly on the decline. And I have reason to suspect that the same misconception pervades the Colonial Office. I need not scruple to assure your Excellency of what your own experience must shortly demonstrate to you, that both these assumptions are utterly untrue. But even were they true, that would not afford of itself any sufficient reason for curtailing, but rather for reforming, the Church establishment. It should then be dealt with as your Excellency would deal with the police force, for inefficiency in which the remedy is not to be sought in reduction of the numbers or the pay, but in regulations which enforce a proper discharge of duty.

14. As respects the question, however, whether the clergy of Jamaica generally, as compared with the clergy of other dioceses in or out of England, are doing their duty faithfully and well, I have no right and no desire that your Excellency should rely on any mere assertions of mine, but I would rather invite the most searching inquiry as to this question. The exact determination of it as respects individuals is no doubt very difficult, but I think I can furnish your Excellency with a large body of both direct and presumptive evidence. That the ordinary duties of the clergy on the Lord's Day are punctually performed is evidenced by the half-yearly extracts of their duty books, in which the cause of omission to perform any such duty is required to be stated. It is the fault of the law, not mine, who have endeavoured to get it altered, that the particulars of week-day work are not similarly recorded. Had this been done I should have had the less trouble in proving the habitual industry of most of our body. My commissaries, Archdeacon Rowe, and the rectors of Kingston and Spanish Town, are competent to furnish your Excellency with much important information, and are quite as ready and anxious as I can be to relieve the body to which we belong from the undeserved discredit under which we are now labouring.

15. It seems that because we do our work as quietly as it is done in an English diocese, not proclaiming our deeds as those do who have to win favour and support from patrons or partisans in England, by pretending to great ministerial devotedness and success, we are supposed by a large section of the British public, and even by many who ought to be better informed, to be doing no work at all.

16. Between one-third and one-half of our clergy have enjoyed the same advantages, and possess the same qualifications as most of their brethren in England. They have been trained at Oxford or Cambridge, at Dublin University, at King's College, or at St. Augustine's. We have a few also from Codrington College, Barbadoes, while about twelve were trained in our college here, one of whom, subsequently examined for holy orders in Durham, was, as the Archbishop of Canterbury, then Bishop of Durham, has informed me, "fully equal to the average of candidates from Oxford or Cambridge." The examination for holy orders customary in this diocese closely resembles that in use among many of our bishops in England and Ireland, and I do not know that it is less strict, except occasionally in those particulars in which the best of our missionary bishops would think it right to dispense with

scholastic or collegiate attainments. And we have, moreover, a Discipline Act in force in this Island, which, unless that copied from it in British Guiana be an improvement upon it, is more efficient by far than that in England. And it is surely not to be presumed without evidence that no commensurate advantage has thus been obtained.

17. Such reduction in the number of the clergy as I am prepared to propose to your Excellency, will not be effected, as I can confidently anticipate, without eliciting in many instances strong expressions of regard and regret from the congregations to whom they have ministered. And were the process of reduction to be carried any further, into districts more populous and important, the inevitable result would be the severance of all connexion between the congregations thus deprived and the ministers of the church to which they were attached. It would be impossible to require of any of the remaining clergy an effective supervision of a district so abandoned; the people would be practically as sheep without a shepherd, being visited only six or eight times in a year by one whose voice they knew not; and this at a time when recent experience amply shows we could in many parts of the Island, if we could but double the number of pastors, double immediately the number of the flocks. I am sure your Excellency will take the subject of this letter into your serious consideration. I would again invite searching inquiry into the character of the clergy and nature of their work, and I sincerely hope that the result will be that your Excellency will see reason to be satisfied with the extent of change indicated at the commencement of this Despatch, and will be ready to adopt it as the basis of a scheme to be carried into immediate operation, on the understanding that, so far as the future destinies of this Island can be foreseen, it is not contemplated that further alteration will be necessary, at all events until the end of the year 1869.

I have, &c.

His Excellency Sir J. P. Grant, K.C.B. &c. &c. &c.

(Signed) Reginald Kingston.

Scheme for Ecclesiastical Reductions, to come into immediate operation.

		Saved.
	£ s. d.	£ s. d.
1. St. Dorothy. Rowe pensioned at 200*l.*, succeeded by Bull at 400*l.* and the house and glebe, vacating Old Harbour Bay, on which save 300*l.*	- - -	112 0 0
2. St. John's. Hylton pensioned at 200*l.*, succeeded by Wood at 250*l.*		
3. Blue Mountain Valley. Stearn pensioned at 150*l.*, King having removed.		
4. Somerset Hall. Kingdon 150*l.*, succeeded by Hall at 340, lost	150 0 0	
5. Pedro Plains. Brown pensioned at 150*l.* Catechist 100*l.*	- - -	90 0 0
6. Manchioneal. Jones pensioned at 200*l.* Catechist 100*l.*	- - -	40 0 0
7. Kingston. Gayleard pensioned at 50*l.*	50 0 0	
8. Do. Replaced by Richards, succeeded by Farquharson, vacating Knockalva	- - -	258 0 0
9. St. David. Rectory united to curacy, 100*l.* for catechist at W. Lawn	- - -	390 0 0
10. St. George's. Cheyne in rectory at 450*l.*	- - -	41 0 0
11. Hope and St. Margaret's Bays. Catechist at 100*l.*	- - -	240 0 0
12. Aboukir. Catechist, Del Rio removed	- - -	150 0 0
13. Do. Replaced by Del Rio?		
14. Highgate. Vacated. Catechist at 100*l.*	- - -	240 0 0
15. At least two death vacancies in curacies in the year, 240*l.* each	- - -	480 0 0
		2,041 0 0
Deduct lost	- - -	200 0 0
Total saved	- - -	1,841 0 0
16. Probable vacancy in rectory, making room for Dr. Bradshaw, 300*l.*, and one pensioner, deceased, 200*l.*	- - -	500 0 0
		2,341 0 0
17. Add, saved on parochial allowances (repairs being under 1,000*l.*, 900*l.* instead of 8,500*l.*)	- - -	7,600 0 0
		9,941 0 0

JAMAICA.

A.

IMMEDIATE CHANGES.

Names of Incumbencies.		Saving.	Loss.
	£	£	£
Parish church of St. Dorothy and Island curacy of Old Harbor:—			
Stipend of retiring rector	412	752	—
Stipend of abolished curacy	340		
Pension of retiring rector	200		
Stipend of new rector	400	—	640
Stipend of a catechist	40		
Parish church of St. John:—			
Stipend of retiring rector	—	418	
Pension of do.	200	—	400
Stipend of Mr. Wood, curate	200		
Parish church of St. David:—			
Stipend of deceased rector	—	490	—
Stipend of a curate	—	—	200
Parish church of St. George:—			
Stipend of deceased rector	—	491	—
Stipend of new rector	—	—	450
Island curacy of Hope Bay:—			
Stipend of resigning curate	—	340	—
Stipend of a catechist	—	—	100
Island curacy of Blue Mountain:—			
Stipend of Mr. Stearn, retiring curate	—	340	—
Pension to do.	150	—	340
Stipend of new curate	190		
Island curacy of Somerset Hall:—			
Stipend of resigning curate	—	340	—
Pension of do.	150	—	490
Stipend of Mr. Hall	340		
Island curacy of Manchioneal:—			
Stipend of resigning curate	—	340	—
Pension of do.	150	—	250
Stipend of catechist	100		
Island curacy of Pedro Plains	340		
Do. of Swanswick	340	1,170	—
Do. of Woodford	340		
Stipendiary curacy of Mt. Herman	150		
Archdeacon Rowe, Pedro Plains	340		
Mr. Isaacs, Mt. Herman	340		
Mr. David Rowe, Swanswick	150	—	1,030
Pension to Mr. Brown	150		
Catechist at Woodford	50		
Stipendiary curacy of Aboukir	—	—	150
		£4,681	£4,050

B.

No. 2.—PROBABLE CHANGES.

Incumbencies.	Saving.	Loss.
	£	£
Island curacy of Highgate, St. Catherine's:—		
Stipend of incumbent resigning	340	—
Catechist fund	—	100
Island curacy of Trinity, Spanish Town:—		
Stipend of incumbent transferred	340	—
Catechist fund	—	100
Island curacy of Scott's Hall, Metcalfe:—		
Stipend of incumbent resigning	340	—
Catechist fund	—	100
Island curacy of Knockalva:—		
Stipend of incumbent transferred	340	
Catechist fund	—	100

Incumbencies.	Saving.	Loss.
	£	£
Island curacy of Montego Bay:—		
Stipend of incumbent transferred	340	—
Catechist fund	—	100
Island curacy of St. Michael's, Kingston:—		
Stipend of incumbent transferred to chaplaincy of penitentiary	340	—
Catechist fund	—	100
Island curacy of Rio Bueno:—		
Stipend of incumbent transferred	340	—
Catechist fund	—	100
Island curacy of Claremont, St. Ann's:—		
Stipend of Island curate transferred	340	—
Catechist fund	—	100
Total saved £2,720		
Total lost 800		
	£2,720	800
Balance carried down £1,920		
Balance brought down	1,920	
Parish of St. Mary's:—		
Saving to be effected on rector's stipend	18	
Parish church of Port Royal:—		
Saving on rector's stipend	300	
	£,2238	

Enclosure 2 in No. 15.

Encl. 2 in No. 15.

The GOVERNOR of JAMAICA to the BISHOP of KINGSTON.

MY LORD, King's House, Jamaica, December 5, 1866.

I HAVE given my best attention to your Lordship's letter of the 15th ultimo, and to the revised tabulated schemes connected therewith, which, since your Lordship's departure from the Island, have been, by your desire, substituted by your commissaries for the tabulated schemes originally enclosed with the letter now under reply.

2. The saving of the parochial allowances already carried into effect, which is assumed by your Lordship at more than 8,000*l.* a year, actually amounts only to 6,629*l.* a year, that being the sum applied for by the parishes for the current year, at which rate the allowances for one quarter have been passed, and there being no doubt that by insisting on economy this amount would have been reduced rather than increased in after-years, had the old system continued. Your Lordship's estimated reductions must therefore be made less, on this account, by 1,371*l.* a year throughout.

3. Your Lordship's present proposals mainly depend upon the retirement of several rectors and Island curates from Her Majesty's service, upon pensions which you recommend to be granted to them. It will simplify the case first to consider this part of the question separately.

4. Your Lordship is aware that no law or regulation is in force in this Colony, or ever was in force here, authorising the grant of pensions to clergymen on the Colonial establishment. This proposal, therefore, is one which it is beyond my power to adopt without the authority of the Secretary of State.

5. I am myself in favour of the introduction here, with certain reasonable modifications of detail, of the superannuation system in force at home, and of giving the clergy the immediate benefit of such introduction, though it must be remembered that such a measure would be a clear boon to the reverend gentlemen now upon the establishment, who were appointed without any hope of being pensioned should they become incapacitated for duty. When new arrangements regarding salaries and establishments are made, as must be done three years hence, it will be but reasonable to calculate any pension that may be provided for as one of the emoluments of the service, tending to reduce salaries in some measure. Nevertheless, the hardship of refusing this boon at once would be so great in a few individual cases, and the temptation, from kindly motives, to permit not merely inefficient but even hopelessly incapacitated men to remain on the effective list, drawing pay for work which they do not or cannot perform, must ever be so strong, and this abuse has already reached such a height, whilst in practice its correction under the present system is so difficult, that I have ventured to recommend the immediate introduction of the measure to the favourable consideration of Her Majesty's Government.

6. If this general recommendation is adopted, this part of your Lordship's scheme will become practicable in regular course; and even if it should not be adopted generally, perhaps the Secretary of State may permit, as a boon as much in the interest of the public service, under present circumstances, as the individual clergymen concerned, the pensioning of the gentlemen named by your Lordship, under a special order. I hope this may be done, even if a general pension scheme is not immediately introduced.

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7. Whatever may be the result of your Lordship's recommendation, and of mine, in regard to pensions, I cannot hesitate in giving it as my opinion that clergymen should no longer be allowed to remain on the effective list who are permanently and hopelessly incapable of doing any duty whatsoever. This is an abuse which, I feel confident, would have been long ago corrected by my predecessors, at your Lordship's instance, but for political difficulties now happily no longer existing. A pension not being obtainable, when a clergyman is permanently incapacitated, as, for example, when he has become hopelessly insane, the Government has been in the habit of adopting the device, in such cases, of giving indefinite sick leave on half-pay. But the only legitimate ground of giving sick leave at all is a reasonable expectation that the person taking it will be able, at the end of a short term, to return to his duty in restored health; an expectation which cannot be entertained in the cases alluded to. The result often is, that a person to whom, by a fiction, leave is thus accorded may draw, for the remainder of his life, an allowance much in excess of what he could have obtained under the most liberal superannuation scheme, whilst the public service is proportionately starved.

On this ground, I am of opinion that, in the cases of such of those clergymen recommended by your Lordship for pensions as are incapable of judging for themselves, medical committees, for form's sake, should be appointed to examine and report upon the question of hopeless permanent incapacitation; and that then, on this question being affirmed, the patients should be removed from the list of salaried clergymen.

What allowance for their subsistence shall be made will depend upon the orders of the Secretary of State. If his Lordship, whether as part of a general measure or as a special boon, sanctions the application of any superannuation scheme to these cases, this allowance will be regulated, as a matter of course, by that scheme; otherwise I presume that some specific allowance may be made in each case, the aggregate amount being deducted, by special arrangements, from the present cost of the Establishment.

In the meantime, and pending the order of the Secretary of State, I shall feel myself warranted by the circumstances in allowing subsistence money at the rate of one sixtieth part of the salary for every year of service, not exceeding a maximum in the case of a curate of 150*l.*, and in the case of a rector of 200*l.* a year, taking care to meet the aggregate amount by special arrangements involving a corresponding saving in the present cost of the Establishment.

I will cause your Lordship's commissaries, to whom a copy of this letter will be communicated, to be duly addressed on this subject.

In the cases of those invalids who are capable of judging for themselves, I propose that, if absent, they should be called upon either to tender their resignations (accompanied by the requisite medical certificates, if the person offering to resign is not 60 years of age), on receiving such retiring allowance as the Secretary of State in each case may sanction, or to return to duty at the expiration of the present term of leave; and that, if in the Island, they should be called upon either similarly to tender their resignations, or to undergo examination by a medical committee.

This will dispose of the cases of

Mr. Kingdom,
Mr. Brown,
Mr. Rowe,
Mr. Hylton,
Mr. Stearne,

now at home as invalids on leave; also of Mr. Jones, now at his curacy in this Island.

Until the above-named clergymen shall have resigned, or shall have been removed from the effective list, their cures will not be vacant; and such parts of your Lordship's scheme as depend on these vacancies must, therefore, of necessity remain in abeyance.

Your Lordship's proposal to grant Mr. Gayleard a pension of 50*l.* cannot be recommended to the Secretary of State, as Mr. Gayleard is not upon the Island staff. He draws whatever salary he receives from some other quarter, to which any application on his behalf for a pension must be addressed.

On reviewing your Lordship's immediate scheme, subject to the necessity for holding parts of it in abeyance, as above explained, I find that little remains immediately feasible; but to what is so feasible I shall be happy to give effect as opportunities arise. On Mr. Cheyne's return he will be appointed * of St. George's parish, at a salary, including allowance for house rent, of 450*l.* a year; and Mr. Nuttall, now acting as his substitute, to whom, as I infer, something like a pledge has been given, will be appointed to Mr. Cheyne's curacy. By this arrangement a saving of 41*l.* a year will be effected. The rectory of St. David's parish will remain vacant for the present, on the understanding that hereafter, if filled, it will be filled by an extra curate on a reduced salary. This effects a present saving of 490*l.* Mr. Hime's curacy at Hope Bay will remain vacant, the place being supplied by a catechist, as already arranged. By this a saving of 240*l.* will be effected. The stipendiary curacy of Aboukir will be abolished, by which a saving of 150*l.* will be effected.

* Sic.

I have, &c.

(Signed) J. P. GRANT.

The Hon. and Right Rev.
the Lord Bishop of Kingston,
&c. &c. &c.

No. 16.

COPY of a DESPATCH from Governor Sir JOHN P. GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 67.) King's House, December 8, 1866.
(Received, January 1, 1867.)

MY LORD, (Answered, No. 125, January 14, 1867, page 101.)

WITH reference to another Despatch of this date, in which I have communicated to your Lordship a correspondence between myself and the Bishop of Kingston, on the subject of the reductions to be effected in the Ecclesiastical Establishment of Jamaica, as opportunities may occur, during the continuance of the present Clergy Act (which will not expire until 31st December 1869), I enclose in this Despatch a copy of a letter from the Bishop, written on the eve of his departure for England, with a copy of my reply, on the subject of the general reform of the establishment which must take place after the expiration of the Act.

2. Your Lordship will perceive from my letter that the scheme which the Bishop attributes to me, and against which he protests, is not one that had arrived at maturity in my own mind. I believe, however, that some such system as that which I informed the Bishop in my conversation with his Lordship I had in view, will be found the best that can be adopted on the termination of the present arrangement.

3. It seems to me obvious, that if any attempt is to be made to introduce the influence of the Church of England into all the remote and neglected parts of the Island, this must be done through the agency of a cheaper class of spiritual teachers than those which are now mainly employed; and that the employment in any large number of such a cheaper class must necessitate a system of subordination, which should naturally proceed upwards from the lowest grade through the existing class of curates, and centre in the rector of the parish. At present there are three classes of clergy,—rectors, Island curates, and stipendiary curates; but they differ only in name and rate of stipend. The curate has charge of a separate ecclesiastical district, and is in no way subordinate to the rector of the parish. This independence is perhaps of no very great consequence, so long as the clergy of each class are practically men of the same stamp; but the case would be different on the introduction largely of one or more inferior classes; then an organised system of subordination of one class to another, which has hitherto been wholly wanting, would seem, from my point of view, indispensable. Of course the introduction of any such system would require the introduction also of a system of selection for the rank of rector.

4. If this question could be treated purely as a spiritual question, I should not have ventured to express any opinion upon it. But this is a case in which the cost of the clergy is defrayed by the general revenue of the Colony, and the salaries of each of them are regulated by the civil power. As a question deeply affecting finance and taxation, as well as the civilisation and the moral and intellectual improvement of the negro population, I consider myself bound to lay my views upon it before your Lordship.

5. Whilst, however, I have thought it necessary to state my opinions in replying to the Bishop's letter, I regret that his Lordship should have thought it necessary, by placing on official record his protest against my views, to precipitate a discussion of a question on which no practical step can be taken for more than three years to come. I believe that more is likely to be lost than gained by such premature discussion, and that it will be better to postpone deliberation on the details of any new scheme until the time shall more nearly approach at which it can be carried into practical effect.

6. Your Lordship will perceive that I have thought it necessary to correct an error into which the bishop has fallen, in estimating the cost of such an establishment of clergy as that which I had indicated. I do not know the grounds on which his Lordship assumed that I should fix the stipends at the rates which he has attributed to my scheme. I am not aware that I spoke of any specific rates of stipend. Taking the stipends at the rates which the Bishop has taken as the basis of his calculation of the cost of his own scheme, and which, although lower in the case of rectors than I should have thought desirable, his Lordship appears to consider sufficient, the saving that would be effected by my plan would amount to more than one quarter of the present expenditure, as lately reduced. At the present rates of rectors' stipends the saving would be very much more.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c. (Signed) J. P. GRANT.

JAMAICA.

Encl. in No. 16.

Enclosure in No. 16.

The BISHOP of KINGSTON to the GOVERNOR of JAMAICA.

SIR, Kingston, November 24, 1866.

I UNDERSTAND that it is not your Excellency's intention that my scheme for the reduction of ecclesiastical expenditure should be transmitted to the Chief Secretary for the Colonies by the mail of this day, so that there is time at least for further consideration of the subject.

I think your Excellency, not having yet travelled in this Island, must have failed to appreciate the difficulty of traversing it, except by the main roads, or you would hardly have preferred to mine, a scheme imposing on the clergy an amount of labour which it is utterly impossible that they should ordinarily perform, and much of which might have been spared to them; and this with a very considerable diminution in the amount of spiritual superintendence, and what appears to me to be far from a compensating gain to the revenue.

I understand your Excellency's scheme to be to divide this Island into fourteen districts, each including, therefore, on the average rather more than a parish and a half, in which shall be stationed one rector and two curates, with catechists under them, at those places from which clergymen are to be removed. The population of this Island shortly after the expiration of the present Clergy Act may be calculated at little short of half a million. Deducting 100,000, as sufficiently provided for by other denominations (a deduction greater than I should myself be disposed to make, knowing, as I do, how uncertain is the prospect of the future maintenance of many stations not belonging to our Church) each clergyman would have under his charge about 10,000 souls. Now, not including the jails, hospitals, and asylums, &c., where the services of our Church are performed on the Lord's Day by clergymen, there are not less than 110 stations at which our clergy or catechists officiate. Your Excellency contemplates each rector being "a kind of bishop in his parish," not only having the immediate charge of 10,000 souls and half a parish, but visiting in two other districts of equal extent, and overlooking seven stations, some of which would be not less that 25 or 30 miles from his residence, besides I know not how many schools.

It is my duty to tell your Excellency plainly, that such a scheme, although it could of course be introduced by law, could not possibly be carried out in practice so as to secure supervision sufficiently frequent to do any spiritual good.

I regard such substitution of catechists for clergymen as is contemplated even in my own scheme as a serious evil, though perhaps in the present financial condition of the Island it be inevitable. For our catechists are little to be depended upon, and need more frequent supervision than the clergy can give them when stationed, as they necessarily are, beyond the limits of the original cures, perhaps at ten miles distance.

I should therefore regret exceedingly to see a scheme introduced which, instead of placing 15 catechists amongst 67 clergymen, puts 40 catechists under the almost nominal supervision of 42 clergymen. Were these catechists auxiliaries instead of substitutes, aiding the clergy in their own original districts as contemplated in the close of my letter to Governor Sir Henry Storks, their services would be most valuable. 80 clergymen might have overlooked 80 catechists, but 40 clergymen cannot in a country like this superintend, half as efficiently, 40 catechists.

And as regards the financial question I cannot see how the difference between the two schemes can much exceed 3,000*l.* In fact it falls short of 3,000*l.* Is it worth while for so small an advantage, not to be fully realized for three years to come, and adding during the present financial year a few hundreds only, to throw the Church into a state of confusion and uncertainty for a protracted period, and to diminish the numbers of the clergy, now standing at 82, to 42 only, instead of 65?

It is further to be observed that as my scheme adds only six, including the eminent names of Mr. Foote and Mr. Nuttall, to the Island establishment, your Excellency could not reduce the numbers of the clergy from 59 to 42, without either great hardship to individuals, or a delay of many years.

As regards the expenditure I calculate your Excellency's scheme will cost 20,770*l.*; mine will cost 23,750*l.*, a difference of 2,980*l.*

I calculate this as follows:—

Fourteen rectors.

	£
1 at 700*l.* 6 at 500*l.*, with a house 7 at 550*l.*, without a house	7,550
Twenty-eight curates, at 340*l.*	9,220
Forty catechists, at 100*l.*	4,000
	20,770

Twenty-two rectors	8,760
Thirty-six curates	12,240
Nine stipendiaries	1,350
Fifteen catechists (one paid by the Bishop)	1,400
	23,750

I cannot but still indulge the hope that your Excellency will prefer a scheme which, at so small an

additional expense, retains for the Church the services of more than twenty of the best and most energetic of her ministers.

I have, &c.

His Excellency Sir John P. Grant, K.C.B. (Signed) REGINALD KINGSTON,
&c. &c. &c.

Enclosure 2 in No. 16.

Encl. 2 in No. 16.

Sir J. P. GRANT to the BISHOP of KINGSTON.

MY LORD, King's House, Jamaica, December 5, 1866.

I HAVE the honour to acknowledge the receipt of your Lordship's letter of the 24th ultimo.

2. In this letter your Lordship speaks of a scheme of mine, for the future, which you understand to be the arrangement of the clergy of Jamaica under fourteen rectors, with subordinate curates and catechists. Your Lordship affirms that the saving to be effected by such a scheme will exceed only by 3,000*l.* a saving which your Lordship has suggested (for early introduction), and you ask whether it is worth while, for so small a financial advantage, to throw the Church into a state of confusion and uncertainty for a protracted period.

3. The time has not yet arrived for me to lay before Her Majesty's Government at home, in order to the settlement of this difficult question, your Lordship's final views, together with my own, of what should be done on the expiration of the present Clergy Act, which will not occur until the 31st of December 1869. Your Lordship is aware that no fundamental change of system can be introduced before that time, and that I of course have never contemplated the introduction of any such change at an earlier date. As it is probable that financial considerations will render a material reduction in the number of clergy on that date unavoidable, it had been agreed between your Lordship and myself that advantage should be taken of such casualties as will occur meanwhile, in order to smooth the way to such reductions as may be then found necessary, and to assist the finances of the Colony meanwhile by abstaining from filling up the vacancies that may occur intermediately. Accordingly your Lordship had just sent me a scheme, which does not purport to be one for a general reform at the expiration of the Clergy Act, to be recommended to Her Majesty's Government, but is simply a scheme for immediate introduction as vacancies occur, irrespectively of any system that Her Majesty's Government may determine to introduce three years hence; and this scheme of your Lordship's in this sense, as I believe your Lordship was aware, I was about to adopt in the main, and to act upon as the occasions should arise, so far as it is in my power to act. No other scheme had been communicated to me; and I am sure that your Lordship did not suppose that any recommendation of a general reform, to be introduced on the expiration of the Clergy Act, would be formally made to the Secretary of State by me, without having first given your Lordship the fullest opportunity of expressing your own views on the question.

In this state of the case, I regret that your Lordship has thought it advisable to place a protest formally and officially on record, before I had had any opportunity of communicating to your Lordship officially, or indeed in any full and formal manner, what my views are, and even before they had arrived in my own mind at such a state of maturity as would justify me in making them a subject of written official discussion between your Lordship and myself.

When your Lordship did me the honour to call the day before your departure, I mentioned in conversation that a scheme was in contemplation for the union, in order to judicial, police, and fiscal purposes, of some of the smallest parishes, so as to divide the Island into districts more nearly approaching equality in respect of extent and population than the present parishes, which differ from each other in both these respects to an absurd degree; that probably the result would be a reduction in the number of these districts to about fourteen; that this had suggested to my mind a corresponding reduction in the number of rectors, from 22 to about 14; and that my notion of an effective and not too costly clerical system for Jamaica is, that the rector should be here as in England the ecclesiastical head of the parish, with perhaps a couple of curates, and always with an adequate staff of some inferior class, all subordinate to him. Perhaps catechists alone were mentioned, as forming the inferior class, as I am aware that these are preferred by your Lordship to deacons; though but for this knowledge I should have thought it well to have both.

These general views of mine are unaltered. But I did not intend to lead your Lordship to infer that I have formed a definite plan, ripe for formal and written discussion with your Lordship.

As soon as I have fully matured my views, I will not fail to communicate them to your Lordship, and I shall be most happy to receive and to give my best consideration to any suggestions or objections which you may desire to offer. Until then I trust that your Lordship will be willing to suspend your judgment on the faint outline of a scheme which I had the honour to give in our conversation.

It would be entering upon a premature, and, therefore, profitless discussion, were I at present to reply to the objections which your Lordship makes to the principles of such a measure as that which you attribute to me. But it is necessary, in order to prevent misapprehensions that might be injurious, to correct an error of your Lordship's on the question of cost. I do not think that any details were mentioned on this head in the course of our conversation. But in the calculation in which your Lordship makes of the cost of the two schemes, you state in mine the salaries of the rectors at an average of five hundred and forty pounds, which is much in excess of the present scale, while in your Lordship's scheme you state them at an average of three hundred and ninety-eight pounds, which is about as much below the present scale. I was not aware that your Lordship proposed to reduce the salaries of the rectors so much, and I am not myself prepared to agree as to the expediency of so great a reduction, if the order of rectors is to be retained at all; but I certainly never contemplated the very considerable increase in these salaries which you have attributed to me; and I do not under-

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stand why your Lordship has put them at one rate in your calculation of the cost of what you state to be my scheme, and at another rate in your calculation of your Lordship's scheme. Again, your Lordship in your calculation of the cost of your scheme takes correctly the cost to the Colony of the nine stipendiary curates at one hundred and fifty pounds each, whilst your Lordship allots to the whole of the curates for whom you have charged me, salaries of three hundred and forty pounds a year, whereas, under any scheme, nine of the curates would cost the Colony only one hundred and fifty pounds a year each. I do not understand why your Lordship has made this distinction between the rate of salaries under the two schemes. Taking them in both schemes at the same rate, which appears to me to be the only fair ground of comparison, the saving by what your Lordship regards as my scheme would be 6,468*l.*

As to the confusion with the introduction of which into the Church the scheme I spoke of in our conversation is charged, I do not see how the discussion of any scheme of reform, to take effect hereafter, can cause present confusion to the Church; whilst, eventually, any systematic scheme, when introduced, would be less confusing than the present unsystematic arrangements. And as to uncertainty, it is the fact of the approaching expiration of the Clergy Act, when the present system will come to an end, not the preparation of a system to succeed the present one, that is the cause of uncertainty.

I have, &c.

The Right Rev. the Lord Bishop of Kingston, &c. &c. &c.

(Signed) J. P. GRANT.

No. 17.

No. 17.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 75.) King's House, December 24, 1866.

MY LORD, (Received, January 18, 1867.)

I HAVE the honour to transmit to your Lordship herewith a duly authenticated copy of a law passed by the Governor with the advice and consent of the Legislative Council of Jamaica, intituled No. 7 of 1866, "A law to continue in force the duties "under the Act of the twenty-second Victoria, chapter forty-eight, and the other "Acts to promote steam communication between this Island and the United States of "America."

I also enclose a copy of the report of the Attorney-General.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c.

(Signed) J. P. GRANT.

Encl. in No. 17.

Enclosure in No. 17.

Jamaica, No. 7 of 1866.

Assented to by the Governor November 16, 1866.

A law to continue the duties under the Act of the twenty-second Victoria, chapter forty-eight, and the other Acts to promote steam communication between this Island and the United States of America.

WHEREAS the contract for the conveyance of a mail by a steam vessel to and from the city of New York, in the United States of America, and the city of Kingston, in this Island, has been determined: And whereas it is expedient that the revenue raised by the Act of the twenty-second Victoria, chapter forty-eight, entituled "An Act to promote steam communication between this Island and the "United States of America," and the Act of the twenty-third Victoria, chapter eleven, entituled "An "Act in aid of the Act of the twenty-second Victoria, chapter forty-eight, for promoting steam com-"munication between this Island and the United States," as the same have been continued by the Act of the twenty-seventh Victoria, session one, chapter one, entituled "An Act to amend, and in aid "of the Acts twenty-second Victoria, chapter forty-eight, and twenty-third Victoria, chapter eleven, "to promote steam communication between this Island and the United States of America," should be continued and applied for the general purposes of the Government of this Island; it is hereby enacted by the Governor of Jamaica, by and with the advice and consent of the Legislative Council thereof, as follows:—

Duties continued.

First. Notwithstanding the determination of the said contract for the transmission of the mails as aforesaid, the duties levied and imposed by the said firstly recited Act, and the schedule thereto annexed, shall nevertheless continue to be levied, collected, and received by the powers, and in the manner in the said recited Acts mentioned.

How to be applied.

Second. The said duties shall be paid and applied towards the general revenue of this Island in such manner as the Governor shall from time to time direct.

The ATTORNEY-GENERAL's report.

Law No. 7 of 1866.

THE second section of this law is the only operative one,—authorizing the appropriation to general public purposes of the revenue already liable to be raised under 22 Vict. c. 48. s. 5.

December 19, 1866.

I have, &c.
(Signed) ALEXANDER HESLOP,
Attorney-General.

No. 18.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 82.)

King's House, Jamaica,
December 26, 1866.

MY LORD,

(Received 18th January 1867.)

FROM the time of my arrival here, I have had under consideration plans for affording the body of the people, in those classes of cases in which they are interested, courts practically accessible, constituted so as to acquire their confidence, and having a procedure simple enough to be comprehensible to them, and cheap enough not to be beyond their means.

2. When slavery was abolished, thirty-two years ago, it was felt that something must be done to secure in practice those personal rights which the law had just conferred in theory, and the manner in which this was attempted to be done was by sending out to what had been slave Colonies a very large number of stipendiary magistrates, paid by the Imperial Government.

3. In Mauritius, where these magistrates had exclusive jurisdiction, that Colony being under French law, I believe that this plan answered very well; but in Jamaica, where every such magistrate was no more than one justice of the peace upon a bench of local and unpaid justices of the peace, it did not answer well, even when the stipendiary magistrates were very numerous, as they were at first. It was here an expensive and ineffective system. Practically the system of stipendiary magistrates has ceased to operate here; for, owing to the principle adopted of filling up no vacancies in the list, the number of these officers (which I believe originally exceeded sixty) is now reduced to five.

4. In order to remedy the defects which indisputably exist in the local administration of petty justice in Jamaica, it has been often suggested that there should be a return to the system of stipendiary magistrates. I am convinced that this would be an ineffectual remedy. In the first place it would be a repetition of an experiment which has failed. It could not be expected to succeed better now than it did before, unless here, as in Mauritius, the stipendiary magistrate were made the sole magistrate of his district. To make him so would be to abolish the office of justice of the peace, a measure which I have not heard proposed in connexion with the appointment of stipendiary magistrates here, and which I should be very sorry to propose. In the next place, a sufficiently numerous stipendiary magistracy would be very costly. And in the third place, costly and cumbersome as the system would be, even supposing it to be made effective for its object, by the abolition of justices of the peace, it would still leave wholly unremedied the most defective part of the judicial administration of this Colony, which is the want of accessible justice in civil cases, excepting in those for large amounts, and where both parties have considerable means.

5. In the minor criminal department no doubt there are very great defects. One of the defects is in the uncertainty of the meetings of the justices in petty session. In many parts of the country the justices are very few, and the class of educated men, from which competent justices must be selected, has become much smaller than it was. Complaints have been made to me by persons who have come in to attend court from great distances, on several consecutive fortnightly court days, to find in each occasion no court of petty sessions sitting. An official report has been made to me of three prisoners found to have been confined for three weeks and a month, untried and uncommitted, for want of a meeting of two justices. Then, although there are many classes of cases in which the bench of justices may not only decide with care and fairness, but may also leave the people satisfied with its decisions, there are many classes of cases, and these are cases of peculiar interest and importance to the people, in which, however carefully and honestly the bench may decide, it is impossible that the people should be satisfied of the justice of their decisions. For example, a bench of overseers trying the case of

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an overseer charged with ill-treating an immigrant cooly could not possibly impress the coolies of a district, or the public, with confidence in the local administration of justice in that class of cases. A bench of the employers of labourers could not be a satisfactory tribunal for trying questions between master and workman. And generally, where, in the classes of cases which interest the people most, it may happen that judge and complainant change places as the several causes are called on, that degree of confidence in the administration of justice which it is essential to the public peace that the people should have, is impossible. But though, by reason of the peculiar state of things here, the system of administration in petty criminal cases is in many important classes of cases open to objection, I am quite convinced that the effects of the want, practically, of justice in the vast mass of civil cases, is a still more pernicious evil. I will describe the present system of civil justice as it is.

6. The magistrates in petty sessions have jurisdiction in cases of debt up to ten pounds, and in cases of tort up to forty shillings. They have also a jurisdiction in cases of ejectment where the value of the land is small. In all other cases, in law or equity, suits can only be filed in one or other of the courts in Spanish Town, and practically they can only be filed through an attorney.

If the case be in equity, I state no more than the bare fact when I say that it may not be decided in the course of an ordinary lifetime. An undecided equity case, more than thirty years old, has been brought by an unfortunate suitor formally to my notice. If the case be at law it will be tried in a court of circuit, of which there are only three held in the year. The expenses of course, unless the amount at issue is very large (and heavy causes are now of extreme rarity), are proportionately enormous, and under the most favourable circumstances the delay in obtaining execution is almost incredible. I have just had a representation from a legal gentleman, in a case of a claim on a small bill of exchange, which would not be defended, who has shown step by step that payment could not be enforced in less than a year from the time of filing the suit. I have ascertained from the highest authority that this truly represents the fact. If this procedure is applied in imagination to the claim of a poor negro, at the western extremity of the land, some conception may be formed of the working of the courts of civil justice here, in the vast mass of cases.

7. I enclose with this Despatch a copy of a petition I lately received from some small cultivators in the parish of Manchester. The facts are vouched by a Moravian missionary, a gentleman whose character makes it impossible to doubt the truth of the statement. These poor people sold their year's produce of ginger, represented to be their whole available means, to some trader, who kept their ginger, but refused to pay for it, setting up some plea that might or might not justify the repudiation of the contract, but could not possibly justify the taking of the ginger without paying for it. In consequence these poor people are ruined, for they cannot afford the expenses to which the filing of so many separate actions in the Spanish Town Supreme Court, and the employment of an attorney in each action, would put them. I could only commiserate them and tell them that I contemplated a change in the courts of law, which would enable persons in their predicament to obtain justice, practically. It is in the fulfilment of that promise that I address this Despatch to your Lordship.

8. I have not yet seen reason to believe that there is, as many persons imagine, an innate and incurable idleness in the character of the Jamaica negro, which makes him differ from all the rest of mankind, and consigns him to hopeless poverty. My belief, from all that I have seen and heard since my arrival here, is quite the contrary; and I do not see how any one can pass through the garden and orchard of a negro cultivator, or observe the numerous small coffee plantations everywhere springing up, or see the women and boys coming in twenty miles with their produce to market, and doubt their industry, in whatever brings with it to them the rewards of industry. But if they are wanting in enterprise, or in any of those habits which lead communities to make rapid progress in the acquisition of wealth, the state of the law which has ruined these ginger producers in Manchester is not likely to correct the defect.

9. Having both civil and criminal cases to provide for; having to distribute such a sufficient number of courts over the Island that no place will be too far from a court; and having to give full occupation to each court, and to make the system as little expensive as possible; the plan which appears to me best to meet all objects is to create an adequate number of district judges, having both civil and criminal jurisdiction up to a certain limit. They might be called district civil and criminal judges, and from twelve to thirteen would be the number of these judges required.

10. In civil matters they would be like the county court judges in England with jurisdiction in all classes of suits, probably, up to 100*l*. A simple form of procedure

without jury would be provided with a cheap form of appeal to a judge of the Supreme Court. They would naturally be employed as commissioners for trying on the spot cases of disputed possession of land, and other disputes relating to land, unlimited in amount, under the orders of the Supreme Court, if a Bill becomes law which is in preparation for remedying, by the employment of such local commissioners, the defects of the present system of procedure in cases of ejectment; and where squatters are concerned, or where boundaries are in dispute, a competent local court for such land cases is one of the most pressing wants of the Island.

11. In criminal cases, excluding the most heinous offences, such as treason, murder, and arson, they would have such powers as would enable them to try and dispose of the great majority of criminal charges. Perhaps imprisonment with or without hard labour for one year, might be fixed has the highest penalty they could inflict. In criminal cases, as in civil cases tried by them, juries would be dispensed with. And in all charges which from their nature they could not try, or in which from any circumstance they should think a higher punishment than they could inflict would be proper in case of conviction, they would commit to the court of circuit for trial. Committals by them should be equivalent to indictments found by a grand jury, and should go to trial before the court of circuit and a petty jury without the intervention of a grand jury. It would be an absurd form to subject committals made by high judicial officers, such as they, to be examined by any intermediate unprofessional body before going to trial. In criminal cases tried by them an appeal might lie to a judge of the Supreme Court.

12. These district judges would have no concern with the police, nor with the getting up of cases. It would be the duty of the police to get up the cases and to bring the prisoners charged to the district judges' court for trial or committal.

13. These judges would have concurrent jurisdiction with the justices in all cases; and they should have the power of calling up any particular case from the court of petty sessions to their court. A defendant in any case perhaps, certainly in any case belonging to certain peculiar classes of cases, should have the right of removing his case from the petty sessions to the district judge's court.

14. These judges should be invested with the powers of coroners.

15. I would propose that an institution fee should be paid in civil suits; from which I should expect here, as in India, that a considerable part of the expense of these tribunals would eventually be repaid. For I am convinced that at present it is saying too little to say that not one tenth part of the cases that ought to be tried are ever brought into any court at all; the parties wronged, either like the Manchester ginger producers not having the means to do so, or not choosing to spend in law proceedings more than they could recover by a judgment. And a moderate institution fee, to fall ultimately on the losing party, in a case for a small amount, would be a mere trifle compared to the preliminary charges that must now be expended in the employment of an attorney, however small the amount claimed.

16. In India small-causes courts upon this principle have been very successful. I can see no reason why they should not be equally successful here.

17. For these courts I am of opinion that English or Irish barristers or Scotch advocates should if possible be obtained. I would recommend that the district judges should be constituted into a service; all having equal powers, but with gradations of salary. The Colony can afford such a scale as this: a fourth of the number, first class, on 1,000*l.* a year; a fourth, second class, on 900*l.* a year and half-third class, on 800*l.* a year. The rise should be by merit only. A first class district civil and criminal judge being a barrister or advocate would be capable of rising to a judgeship of the supreme Court; and probably the puisne judgeships of the Supreme Court, after a time would always be filled from this class of subordinate judges. Such a service, I should hope, would induce young lawyers of character and ability to join it.

18. My plan contemplates the location of these judges at the principal places of their respective districts, where they should hold their courts weekly on fixed days. But each judge would be required to visit, on a sort of short circuit, one or two outstations, weekly, or at least once a fortnight. By this means every important place might be provided with a court.

19. If it can be so arranged that the small-cause business of Kingston and Spanish Town shall be done by the judges of the Supreme Court (for which they would have ample leisure), my plan would require only 12 district civil and criminal judges. If the aid of the Supreme Court judges cannot be obtained, one more district judge would be required. But in this case the present number of Supreme Court judges might be reduced by one at the least.

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20. In preparing this plan, I have had always in view the general instructions I have received from your Lordship on my appointment, so far as this question is concerned. I believe that this plan is in general accordance with the principles laid down, and the suggestions made, in those instructions. What I consider some of the most valuable parts of the scheme are simply adopted from those suggestions.

21. A draft of a Bill for carrying into effect such a plan as I here recommend is now in a very forward state. The expense of the measure is provided for in the Budget; and if your Lordship approves of it, some of the new courts can be established where most required as soon as qualified gentlemen to fill the office of district civil and criminal judge can arrive from England. If your Lordship could secure immediately the services of a certain number of such gentlemen, say of five or six, and could send them out at once, it would be a great advantage. The remainder might follow gradually. If barristers or advocates are not to be had on the terms offered, attornies or writers to the signet would be the next best class to select from. But these would not have before them the hope of rising to the bench of the Supreme Court, and the new system would lose in reputation if not worked, as the English county courts are worked, by the higher of the two professional orders.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c.

(Signed) J. P. GRANT.

Encl. in No. 18.

Enclosure in No. 18.

THE undersigned inhabitants of the parish of Manchester (district Christiana), being brought to great distress and trouble through certain circumstances connected with the sale of their ginger, submitted their case to their ministers for direction and counsel, who advised them, under existing circumstances, to draw up a statement of their grievance, and to seek for further advice and direction from higher and proper authorities in Spanish Town.

The case is as follows:—

At the commencement of this year the undersigned were induced to sell ginger to a considerable amount to one Gustavus Barrow. The latter, in lieu of payment, furnished the undersigned with promissory notes signed by him in the name of Mr. M. R. Hall, Mandeville. On application to the latter for payment of the ginger delivered to G. Barrow, he declined to pay, on the plea that Barrow had overstepped his commission, and promised more for the ginger than he (Mr. Hall) had intended to give; that Barrow had acted in this affair as the direct agent of Messrs. Jamison, Soutar, & Co., Kingston, with which firm Mr. Hall's establishment in Mandeville appears to be connected, &c. &c.

After waiting patiently for months, the undersigned at last endeavoured to put their affairs into the hands of a lawyer in order to have it settled in a court of justice; but, on inquiry, they found that no lawyer would undertake their case unless they would first pay him a certain sum, the amount stated being altogether beyond the means at the disposal of the undersigned; the more so as the ginger sold to G. Barrow (constituting, in most cases, the whole of their last crop) was the only source from whence they could defray these expenses.

Under these circumstances, being utterly at a loss what to do in order to save themselves and their families from great distress, the undersigned humbly request the advice of such of the authorities in Spanish Town as are willing and competent to help them out of their overwhelming difficulties.

The sums due to the undersigned vary as follows:—

In one case, that of a poor widow and her children,—

her
Eliza × Patmore, 47*l.* 6*s.* 4½*d.*
mark

In another case,—

his
Samuel × Smith, 16*l.*
mark

his
Henry × Elliott, 21*l.*
mark

his
Joseph Hyman × Elliott, 10*l.*
mark

his
James × Williams, 24*l.* 19*s.* 10½*d.*
mark

James Garvin, 12*l.*

his
James × Harris, 5*l.* 5*s.*
mark

For the carrying of ginger to Spanish Town - his Saml. × Smith, 1*l.* 10*s.*
mark

It is hereby certified that the above persons are industrious and respectable members of the Moravian Church at Bethany, and that the above statement is true, to the entire belief of the undersigned, their minister.

(Signed) ALLAN HAMILTON,
Moravian Missionary, Bethany.

October 12, 1866.

No. 19.

No. 19.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 8.)

King's House, January 8, 1867.
(Received February 1, 1867.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch No. 95* of the 28th November, transmitting an extract of a letter from the West Indian Incumbered Estates Commission; and I have much pleasure in informing your Lordship that it is my opinion, from all I can learn, that Jamaica was never in a more tranquil state than it is in at present, and that there can be no reason why the commissioners should not order sales to be made now which it may be thought desirable to effect.

* Page 100.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c.

(Signed) J. P. GRANT.

No. 20.

No. 21.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 30.)

King's House, February 23, 1867.
(Received, March 18, 1867.)

MY LORD,

I HAVE the honour to acknowledge the receipt of your Despatch No. 92* of the 24th of November, in which your Lordship asks for a report from me upon an application made by the Foreign Freedmen's Aid Society for a remission of duties on articles of clothing imported into Jamaica for the relief of persons in distress.

* Page 98.

2. I have the honour to acquaint your Lordship, in answer, that it is the intention of this Government to make the relief of the poor in Jamaica, as it is in England, a charge upon the parish or union in which they are domiciled, and to provide for the cost of that relief by parochial or district rates or taxes. The Customs revenue is applicable to the general purposes of the Government of the country, and I regret that it would not be possible to accede to the society's application for a remission of the duties upon clothing imported by them. To grant such a remission of duty would practically be to divert a portion of the general revenue from its proper objects, and to apply it for the benefit of the particular district or parish which might be the object of the society's charity.

3. Whilst, therefore, I fully appreciate the benevolent intentions of the society, I do not think that assistance in the manner applied for can be legitimately afforded to it by this Government.

I have, &c.

The Right Hon. the Earl of Carnarvon. &c. &c. &c.

(Signed) J. P. GRANT.

No. 21.

No. 20.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 32.)

King's House, February 23, 1867.
(Received, April 3, 1867.)

MY LORD,

I HAVE the honour to transmit to your Lordship a copy of a letter addressed to me by the Bishop of Kingston, dated the 12th of November, in which his Lordship acquainted me that he had received statements from various persons in the country, of excesses and blasphemies committed by people calling themselves Revivalists.

JAMAICA.

On the receipt of this letter I requested the custodes of the several parishes in Cornwall and the Inspector-General of police to report to me what they knew as to the state of things described by the Bishop, and I enclose, for your Lordship's information, copies of the several answers which I have received on the subject.

From the information thus obtained, it would appear that although Obeahism and Revivalism still prevail amongst the negroes in some districts in the interior, these mischievous and demoralizing practices are, upon the whole, on the decline, and although extravagances and excesses are said to be committed by the Revivalists, no proof has been obtained of the commission of the particular acts of blasphemy which had been reported to the Bishop.

I have the honour to request that your Lordship will communicate the result of these inquiries to the Bishop of Kingston, who is now in England.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c.

(Signed) J. P. GRANT.

Encl. in No. 21

Enclosure in No. 21.

The BISHOP of KINGSTON to the GOVERNOR.

SIR, Bishop's Lodge, November 12, 1866.

IT appears to me to be my duty to inform your Excellency that I have at various times within the last ten months, but more particularly of late, received from various persons in Cornwall statements of the excesses and extravagances of bands of persons calling themselves Revivalists, which prove that they are doing, as they did in 1861, much mischief among the people, disturbing their minds, unsettling their habits, causing them to neglect the cultivation of the land, and to live in idleness, and in consequence eventually by plunder. For much of this evil, I apprehend, there is no legal, nor could there be any legislative, remedy. But I wish to inquire whether your Excellency does not apprehend that wherever these people's proceedings and language are clearly blasphemous (as when a woman rides about on a donkey in procession, and is styled Jesus Christ!) it is time that the arm of the law should interpose? Or when persons administer, in profane parody of the Holy Communion, the blood of a goat instead of wine, with, as I believe, also a parody on the words used at our administration of the Sacrament by the minister officiating? I believe that since the rebellion, and those unfortunate proceedings by which the mind of the people have been excited afresh, both Obeahism and Revivalism have been on the increase, and it will need the energetic and judicious use of all available legal and moral and religious influences, to prevent their further extension.

I have, &c.

His Excellency Sir J. P. Grant, K.C.B. &c. &c. &c.

(Signed) REGINALD KINGSTON.

The Hon. J. SALMON to COLONIAL SECRETARY.

St. Elizabeth, Malvern, P.O.,

SIR, December 26, 1866.

ACKNOWLEDGING Despatch of 15th instant, accompanied by copy of a letter to his Excellency the Governor from the Bishop of Kingston of 12th November, bringing to the notice of his Excellency the excesses of the Revivalists, I have to state that some months ago I informed the Government of the meetings of persons in considerable numbers at different parts of this parish for worship, as they said, according to their own conceit of prayer and adoration. They are, I believe, got together at the first by lewd men and women, and rapidly increase by the licentiousness of their proceedings, enlisting a number of young men and women, boys and girls; but the food brought by the converts when they "list," not lasting long, and the doctrine that the sparrows are fed and that the members ought not to work, not being found sufficient, and perhaps wearied out by the grossness of the nightly life, continual change, I understand, takes place in the members and their number, the latter having become comparatively few of late. I do not think the meetings are of much consideration so far as the peace of the country, but that the leader's conduct on leaving the brothel in the morning, where the congregation has passed the night, mounting an ass, before which branches are strewed, accompanied by a woman, the Virgin Mary, and by John the Baptist, &c., &c., is blasphemous and horrible, and that it were time the arm of the law should interpose has long been strongly felt by persons residing in the neighbourhood of this abomination.

I have, &c.

The Hon. Henry T. Irving, &c. &c. &c.

(Signed) JOHN SALMON, Custos, St. Elizabeth.

Mr. R. CHAMBERLAINE to the COLONIAL SECRETARY.

SIR, Montego Bay, December 21, 1866.

I HAVE the honour to acknowledge your letter of the 12th December, accompanied by copy of a communication from his Lordship the Bishop of Kingston, of date 12th November, addressed to his Excellency the Governor.

I am well assured that no such blasphemous proceedings as are therein alluded to prevail in the parish of St. James.

I know that I must have been informed if Revivalism and Obeahism had either broken out or had been on the increase. On the contrary, we are at present and have been for some time past essentially and actually free from these absurdities.

The common law and the good sense of the community are quite adequate to the suppression and discouragement of such practices should they unfortunately disturb our present unbroken tranquillity and freedom from crime.

I have, &c.

The Hon. H. T. Irving, &c. &c. &c.

(Signed) RICHARD CHAMBERLAINE, Senr. Magistrate, St. James.

The Hon. H. A. WHITELOCKE to the COLONIAL SECRETARY.

SIR, Green Island, P.O., December 20, 1866.

IN reply to your communication of the 12th instant, enclosing copy of a letter from the Bishop of Kingston, relative to the wrong-doings of certain parties calling themselves Revivalists, and requesting such information as I may possess on the subject, I have the honour to enclose certain documents which have been sent to me on the subject, as custos and as senior magistrate of Westmoreland.

I might have drawn the attention of his Excellency the Governor to these circumstances earlier, but as far as matters have yet come under legal control, I thought it unnecessary. They certainly assume an unpleasant appearance; but I have hitherto thought, while little absolute illegality exists, that interference would be rather suggestive and provocative than beneficial.

The Rev. Mr. Lawson, Island Curate of Green Island, several weeks ago, made a serious complaint to me on the subject of these so-called Revivalists, detailing fearful immoralities, not, however, involving any breach of the peace. On Saturday last, I requested him to submit to me, in writing, his knowledge of the circumstances; and I expected to have enclosed the document in this, but it has not come to hand.

I have, &c.

The Hon. Henry T. Irving, Colonial Secretary, &c. &c. &c.

(Signed) H. A. WHITELOCKE, Custos of Hanover, and Senior Acting Magistrate of Westmoreland.

Dr. FORBES to Hon. H. A. WHITELOCKE.

MY DEAR SIR, Carmel Cottage, Little London, September 28, 1866.

I HAVE been made aware this afternoon of the "Government notice to the authorities of the Island, &c., &c., rigidly to enforce our sanitary laws as precautions in reference to cholera;" and from my own experience of what occurred, during this last visit of this fearful scourge, I esteem this notice as wise, and especially called for.

In 1851 I was at Goodwill Village (with a population of from 6 to 800 inhabitants), and on finding a few of the people who could not take advice, and remove from their plats of ground bush and other noxious matter, I at once applied to the magistrates in Montego Bay, and received full powers "to see that all causes of encouragement to this scourge be removed or to report."

It so happened also that the people with one voice announced their determination to the Board of Health "that they would not accept of any medicine from Dr. Miller" (then in the village), and I was laid under the necessity of taking the entire charge of our hospital, which was fitted up in our large schoolroom.

Well, for some six or eight weeks before cholera reached us, I met the people in large assemblies, on one or two mornings weekly, and gave them advice and counsel as to the mode of treating the premonitory symptoms, and got them to collect money to have each family supplied with some necessary medicines, &c., &c.

At length the cholera reached us. The entire village, old and young, were more or less affected, and many severely indeed, with the premonitory symptoms; but from the people being prepared, and by God's blessing, I am glad to say "that only seven had to be brought to the hospital, and of these we lost by death only three."

Whereas "at Orange Valley, Content, Mount Zion, Deeside, &c., &c.," the deaths were numerous, and the scenes connected with them deplorable in the extreme, and all this, I verily believe, from want of proper preparations.

Now, my dear sir, I state these facts in order to secure your authorative advice to the magistrates of this district "to see to it" (at once) "that our sanitary laws be stringently carried out," as I am fully persuaded that no time can be lost without danger.

This village, at least, is in a sad state as to noxious matter, and the sooner the people have notice given them "to clear away from around their houses, &c., &c.," the better. I have been advising them for some weeks back, but some more official advice seems to be requisite, and as Dr. Mennell is so near, "perhaps you will advise him to carry out stringently and fearlessly our sanitary laws."

Jamaica.

I have to observe also that this whole district, almost to St. Paul's Church, has been for years infested with night booth meetings (and which I know to be of a licentious and ruinous nature to the morals and health of the people), and most certainly it would be a good precaution to order "all night assemblies, &c. after sundown to be at once put down."

In the next place I have to state that bands of wild and idle young men and young women traverse the Queen's road here and at Broughton, &c., during almost the whole night, and this surely ought to be put down. And, with one or two exceptions, our constables are worse than useless; and I cannot but feel (as our freeholders do) that two policemen, at least, ought to be stationed in this village, inasmuch as we have a large number of bold, daring, and unprincipled persons amongst us, who (on an emergency) are capable of doing great mischief, as they seem to defy all law, both civil and sacred.

As I am quite well aware of your zeal for the best interests of the community, I make no apology for this lengthy communication, and profess myself ready to act in any way you may advise for the purpose of lessening (by wise precaution) the fearful ravages of so fearful a scourge, &c.

I am, &c.

The Hon. H. A. Whitelocke, &c. &c. &c.

(Signed) Duncan Forbes.

Mr. Z. Mennell to Hon. H. A. Whitelocke.

My dear Sir, Drummond Lodge, December 10, 1866.

As I understand the authorities in Kingston wish to be made acquainted with any movement taking place in the Island, I have the honour to report to you, as the senior magistrate of this parish, certain events that recently have taken place in this immediate locality.

On Friday morning last, Mr. Hart, who has charge of a retail store belonging to Messrs. Dougall and Rerrie, of Savannah-la-Mar, which is situated in the market-place at Little London, reported to me in writing, that during the last evening (the 6th instant) he was roused from his slumber by the sound of the footsteps of numerous people opposite the store, and distinctly heard the order given "to halt," and then followed a succession of indescribable noises, shouts, yells, &c. He states he discovered in the morning that this uproar was caused by a band of Revivalists, and that they intended to assemble in considerable numbers on the evening of the 7th at the house of a person named Benjamin Miller, and concluded by requesting the protection of the authorities. On the receipt of this note I instructed the police at Top Hill station to attend at the place indicated; but wishing to make certain, about 9 o'clock I went myself to the rendezvous. On my road I found a woman stationed to give the alarm of the approach of the police. I ordered her into custody. At the junction of the road a little further on I found another stationed, and also gave her in charge of the police. On arriving at Miller's booth I found there a mass of people of both sexes, numbering from three to four hundred. It was then about 10 o'clock at night. I warned them to disperse, and they refused. I then gave two of the ringleaders into custody, and the police took them to the station, where they remained all night, but were accompanied by the whole mass of the people, who I believe were very noisy. The case was heard at the Mango Hall Court of Petty Sessions on Saturday the 8th, before Mr. Justice Campbell and Mr. Justice Nicholl. I refer your Honour to the Clerk of the Magistrates for information as to the evidence and result.

I would, in conclusion, respectfully lay these circumstances before you, and any instructions or directions you may think proper to give the magistrates in my district will endeavour to have effectively carried out.

I have, &c.

The Hon. H. A. Whitelocke, A. S. Magistrate, Westmoreland.

(Signed) Zebulon Mennell, J.P.

Mr. E. Alcock to the Hon. H. A. Whitelocke.

Peace Office, Savannah-la-Mar,

Sir, December 17, 1866.

In accordance with the request contained in your letter of the 15th instant, I enclose copy of the evidence in the case of Regina vs. Miller and al., tried at Mango Hall Petty Sessions on the 8th instant. The only papers which came into my possession having reference to the case are the two letters annexed to the copy evidence. The parties having been apprehended by a policeman on view and in the presence and by the authority of a magistrate, there was no information in writing, nor was any required.

I can speak to some of the excesses and extravagances of the persons calling themselves Revivalists, a band of them having settled themselves in the village of Smithfield, not far from my residence. They begin their meeting, as it is termed by them, about 7 o'clock in the afternoon, and continue it throughout the night, making a great noise. They perform marriages, and commit a great many excesses against religion and morality. I have heard it said that the noise made by these people can be distinctly heard at Dunbar's River, a distance of over a mile from the place of meeting. The same sort of conduct is pursued at Water Works, and until very recently at Ferris and Strathbogie. These people are under the impression that they can do what they like in their own places, and Miller went so far as to threaten that he would bring a thousand people from Hanover, and he would see who could hinder him.

I return the Colonial Secretary's letter, and copy of the Bishop's letter.

I have, &c.,

The Hon. H. A. Whitelocke, Senr. Magistrate, Westmoreland.

(Signed) Edmd. Alcock, Clerk Peace, Westmoreland.

Saint Paul's Court of Petty Sessions, Saturday, December 8, 1866.

Before Justices Campbell and Nicholl.

Regina
vs.
Benjamin Miller,
James C. Petgrave,
Mary Anne E. Murray, and
Ann Nelson.

Disorderly conduct (7 Vic. c. 14.)
Plea not guilty.

Thomas B. Roberts sworn.—I am corporal of police for this parish, stationed at Top Hill, in this district. I was called upon by letter from Dr. Mennell, a justice of the peace, last night to perform certain police duties. I produce the letter. I and policeman Thomas Chrystie went to the village of Little London, in this parish. When I got to within about half a mile to the village, I heard a noise of shouting, people calling out. They were in the house of Benjamin Miller, one of the defendants. I passed and was on my way to the Lodge, the residence of Dr. Mennell, when I met him and William Campbell, the Doctor's son, and a black man. We all turned back and went to Miller's house. On our way we saw Mary Ann Murray on the road, and she was calling out "Come away," "Come away," with lots of other words added to them. Further on I saw Ann Nelson on the road, and she made use of the same words, and "Awake, singer," "Awake;" "Come away," "Come away." I apprehended both of these women, and went on to Miller's house at Little London. Saw Miller, Petgrave, and not less than 300 or 400 other persons there. They were shouting and making a tremendous noise; could be heard a mile off. A woman was lying on the ground on her back, foaming at the mouth. I took Miller and Petgrave in custody, and took them to the station at Top Hill. A great number of the people who were at Miller's place, not less than 150, followed me to the station. Defendants continued shouting, singing, and praying all night, stamping and making a great noise. I thought they would have stamped the station down. Miller and Murray reside in this district; Miller at Little London, Murray at Broughton; the others are strangers to me. All this took place in the parish of Westmoreland. I have spoken to Miller on several occasions about allowing such a noise in his premises, and that the neighbours complained to me about it, but he still went on with it.

Cross-examined by Miller.—You were not roaring, but you were shouting and singing, and making a great noise.

Cross-examined by Petgrave.—You were shouting and making a great noise. You went quietly with me to the station. You and Miller were the ringleaders of the lot. You nearly broke the place down. You were all doing the same thing, bawling, stamping, and making a great noise. Don't recollect if I saw you with books.

Thomas Christy sworn.—I am a policeman of this parish, stationed at Top Hill. I went to Miller's house with Corporal Roberts last night. I saw Miller, Petgrave, and a large number of persons there. They were shouting out with a loud voice, saying, "Awake, sinners, awake;" "Awake, converters, awake," jumping up and making a noise with their mouths. I took the two men in charge by order of Corporal Roberts. The women were taken in custody on the road. The whole set of them followed us to the station. They were shouting the whole night, jumping up and yelling.

William Campbell sworn.—I live directly opposite Miller's residence at Little London. I have been very much disturbed at nights latterly, from a noise proceeding from Miller's residence, shouting and singing, all going on at the same time; several kinds of noises are made at the same time. When we were coming down from Drummond's Lodge we saw the women on the road, and heard them call out, "Awake," "Awake;" "Clear out;" "Roberts is coming." They were apprehended. We went into Miller's yard. Saw a booth erected in his yard. It was crowded with people. I should say at least 300 persons were assembled there, and they were making a hideous noise. I saw Petgrave there; he is a stranger in the district. Sometimes these meetings are kept up all night, at other times until a late hour at nights. I have been kept awake in my bed night after night from the noise. I have heard several of the neighbours complain about the noise. It has been carried on for some time.

William J. Ochterloney sworn.—I went to Little London yesterday, and went to the dispensary of Dr. Mennell. Mr. Hart, clerk to Dougall and Rerrie, came there, and spoke to the Doctor. Last night I went to Mr. William Campbell's place, and heard people singing hymns over at Miller's, and sometimes praying. I heard the noise at Mango Hall, about three-quarters of a mile from Miller's. We went over to Miller's. Saw a booth erected in his yard; it was full of people, and a great many were outside. I saw a woman lying on her back. Saw some one wipe her mouth several times. We thought she was dying. Petgrave was standing at her feet, and said not to be alarmed, nothing was the matter with the woman; she was not dying. Dr. Mennell asked the meaning of the meeting, and if they could explain it; that it was against the law to keep such meetings for the whole night, and to be an annoyance to the neighbourhood; and that he was brought there by a letter he had received. Miller said he was worshipping "Jesus." Dr. Mennell gave Miller and Petgrave in charge to Corporal Roberts. They were taken to the station at Top Hill.

Rev. Daniel R. W. Fidler sworn.—I am Island Curate of Saint Paul's district. Miller was a member of my chapel. I have had to speak to him on several occasions about his conduct as the leader of these so-called Revivals. I have had to turn him away from the Sacrament table on account of his conduct.

Zebulon Mennell sworn.—I am a justice of the peace for Westmoreland. I reside at Drummond's Lodge in this district. On the 7th instant I received the letter produced; in consequence of which I requested the police to be present at Miller's last night. I was there in company with Mr. Campbell and some others. On our way down we met Murray, who immediately commenced crying out that Roberts was coming, and that they must go. This was done to warn the people assembled at Miller's of the approach of the police. I ordered her into custody. This was before we got to the turning into the main road. At the turning we saw the other woman, who did the same thing. She was also put into custody. It was about 9 or 10 o'clock at night. In company with the police I went into Miller's booth, and found there a crowded assemblage of nearly 300 people. I told them their meeting

JAMAICA.

was illegal, and that they must disperse. They refused. I then gave the two men into Roberts' charge. I live nearly a mile from Miller's residence, and for the past year both myself and family have been disturbed and awakened out of our sleep by the noise made at these meetings. Miller has been frequently warned about these meetings; and to-day in the courtyard Miller said that he would bring down a thousand people from Hanover to these meetings. I have frequently been complained to as a magistrate about these meetings.

Miller and Petgrave convicted. Miller to pay a fine of 20*s.*, and costs 1*s.* 6*d.*; in default ten days in prison of Hanover, with hard labour. Petgrave to pay a fine of 10*s.*, and costs 1*s.* 6*d.*; in default five days in prison of Hanover, with hard labour. (Verbal notice of appeal given by defendants at the same time in the presence and hearing of complainant.)

Mr. HART to Dr. MENNELL.

DEAR SIR, Leeward Store, December 7, 1866.

As justice of the peace I have to mention an occurrence that took place in front of this store about three or four o'clock this morning, and which created alarm in the minds of several persons as well as myself. A band of men and women (about two or three dozen of them) congregated in the market-place opposite this store, and went on in a most strange and alarming manner, some giving orders to "halt," others yelling, some singing, while some were making strange noises, all of which I could not make any sense of. On inquiring to-day the cause of it, I was told they were a band of Revivalists, and that they intend to congregate at the house of one Benjamin Miller to-night for the purpose of trooping. This I cannot understand; and surely, Doctor, there must be a law to put a stop to these unlawful assemblages, and, if so, will you oblige by ordering the presence of a couple of policemen. I am certain there will be a regular row and tumult carried on, to the injury and detriment of the repose of the peaceful inhabitants in the quarter; there will be a large congregation of the men who I have heard say their purpose is to carry out an immoral aim.

Yours faithfully,

Z. Mennell, Esqre. (Signed) D. M. HART.

Dr. MENNELL to Corporal ROBERTS.

SIR, Drummond Lodge, December 7, 1866.

A LETTER having been sent to me by Mr. Hart, as a magistrate, informing me of an unruly assemblage last night opposite his store, and he distinctly states he heard orders given to "halt," with great noise and tumult; he further states "that they intend to congregate at the house of one Benjn. "Miller to-night for the purpose of trooping." This, of course, the authorities cannot permit. I have no time to communicate with the custos, but you must take my order as a magistrate to attend there to-night with any available force at your command, and, if you find the case as stated, that the meeting assembles, apprehend the ringleaders and take them before the magistrates, to be furthur dealt with according to law.

I am, &c.

(Signed) ZEBULON MENNELL, J.P.

Mr. J. W. FISHER to the COLONIAL SECRETARY.

SIR, Stewart Town, December 18, 1866.

I HAVE the honour to acknowledge receipt of your despatch of the 12th instant, enclosing copy of a letter of the Bishop of Kingston to his Excellency the Governor, of date 12th November last, relative to the prevalence of Obeahism and Revivalism in the county of Cornwall.

I am aware that in this, the windward district of Trelawny, and in the "Black Grounds," there has been, and there still continues to exist, a great deal of both Obeahism and Revivalism in its most revolting aspects, with the most disastrous effects upon the habits and industry of the peasantry, who desert all regular places of worship for these assemblages. This was particularly the case previous to the breaking out of the rebellion, when strangers appeared in Trelawny pretending to have a special mission from the Almighty.

I shall endeavour to gather further details for the information of his Excellency, and report at an early period.

I have, &c.

(Signed) J. W. FISHER,

Acting Senior Magistrate for Trelawny.

Mr. J. W. FISHER to the COLONIAL SECRETARY.

SIR, Mahogany Hall, Stewart Town, January 24, 1867.

REFERRING to the letter I had the honour to address you on the 18th ultimo relative to the Bishop of Kingston's communication to his Excellency the Governor on the subject of Revivalism, I now beg to enclose herein two letters which have been sent me by the Revd. John Aird, Presbyterian minister in this parish, on the same subject.

I have likewise to bring to the notice of the Government that this evil, coupled with Obeah practices, is greatly on the increase in this parish, particularly in the large negro villages or settlements, such as Duan Vale; Sawyers, &c., that the people in such districts have generally ceased attending regular places of worship, giving themselves up to vagrant Revivalists, who are encouraged to settle down and carry on their mal-practices in their midst.

I have, &c.

(Signed) J. W. FISHER,

Acting Senior Magistrate of Trelawny.

EXTRACT.

I DEEM it my duty, though an unpleasant one, to call your attention to a dangerous fanaticism being carried on in the Duan Vale district of the parish, as it is, I learn, in the neighbouring one of St. Ann's.

It is almost a year ago since I first heard of it, and the tidings reached me in consequence of some parties from the part above named having come twice or thrice in a band under night to the village of Perth, on which this station, as you are aware, joins, and carried on the most boisterous, blasphemous, and profane nonsense all over night under the pseudo-cognomen of having a Revival meeting, to the great regret and annoyance of the good and peaceably disposed inhabitants.

The effect, I was glad to learn, was only to beget contempt towards the actors and their utterings and doings.

Fearing, however, what might come out eventually from a repetition of such folly, I, of course, warned my own people and others against giving any countenance or quarter to such parties, and to let it be known to them that, if they came back, I would, on my own responsibility, call upon the constables to take them in charge.

I heard no more of their doings until the month of June, when I was told that, although they were not visiting Perth Town, yet the fanaticism was becoming stronger at Duan Vale, and parties of the deluded creatures sallied out in different directions at night with the view of extending their superstitions and pretensions. Very shortly after this reached me, I was asked by a missionary of another denomination to marry a couple at that place. I went and performed the duty, and, although a stranger to both the couple and the company, I could not but feel that there was something curious both about the people and the place. For example, I saw some etchings and scribblings carefully fixed up on the wall, which I felt quite at a loss to comprehend, and, when I asked for an explanation, an evasive answer was given me; and further, the demeanour of all present I did not much relish. It was not, however, till two or three days after that I discovered that I had been literally in the hotbed of the Revivalists in the district, that the cabalistics I had seen were a part or specimen of the strange tongue lately revealed, and that the bridegroom himself was the leading man in the doings practised. None of them being my people, and the place being the centre of a Wesleyan station, I did not feel called upon to do more than write the brother I have above alluded to as to what I had seen, what were the impressions made upon me at the time, and what I had since heard, believing it to be highly probable that he was not aware of the existence of the party and their practices.

I heard nothing more about the so-called Revivalism till Monday the 24th ultimo, when I was told that the loud, boisterous noise which I had heard on the previous night and supposed to be a rabble of people in the public road under the influence of liquor, or the breaking out of a quarrel, was a meeting of the said Revivalists again in Perth, and had been held in the house of a person by the name of Reid; and further, that the ignorant, profane, blasphemous, arrogant, and pretentious prayers and speeches were worse than formerly.

As I ascertained that one of my members, belonging to Perth, but now residing at Duan Vale, was one of the party, I sent for him, and strongly remonstrated with him as to his folly, and urged on his immediately breaking off. What will be the effect on him remains to be seen. However, I have learnt within the last few days that the affair has become far more deeply rooted, that a large booth has been erected in the yard of the above person, James Cunningham, above described as a bridegroom in June, and that every night the most noisy and blasphemous practices are carried on; and further, that Cunningham, though a professed Wesleyan, defies the authority of his or any other minister of religion.

The danger that may arise to the peace of the community, and the demoralizing effect on the young and others, if the thing is not checked and dealt with by the Government, is obvious. We know what have been the sad effects of fanaticism in other countries, and to a limited degree in this Colony. In the present instance the moral power of ministers of religion is disregarded, so that recourse must be had to the constituted power of law; in fact, from what I hear and from what I have seen, there is such an amount of ignorance, pride, self-conceit, self-delusion, superstition, and I know not what, all of the like character, that it seems useless to try any other. Besides, the nests are away out of the reach of the public eye, and, if allowed to become consolidated, may be, ere long, disastrous over a large portion of the Island.

An example of the fruits of such superstition has been related to me by two parties, is the following:—

It is alleged that a short while ago a man and wife were arraigned at one of the courts for some crime; that the husband was found guilty and sentenced to some months' imprisonment, but the wife was acquitted; that immediately after the liberation of the latter she became a convert to this Revivalism, and gave out that the Spirit had told her she must not live with her husband again; that she must put on a black frock and continue in mourning for six months for him, and that then she might marry another.

Absurd and ridiculous as this and such like may be, yet, if acted out, the effects might be mischievous. When in Falmouth yesterday, I gave information to Mr. Dignum about these things, and happening to meet Mr. Mitchell, the police inspector, I told him also, and he said he would forthwith send a sergeant on the track.

I feel, however, it is due to you, in the high position you occupy, to put you in possession of the above.

Please excuse my prolixity.

Jamaica.

The Rev. J. Aird to Mr. Fisher.

Dear Sir, Bellevue, Falmouth, P.O., January 21, 1867.

Yours of the 17th instant has come to hand. It was unfortunate that mine of the 4th was not received till so long after.

As you are of opinion that my communication might be of service to the Government, I have no objection that you forward it.

I understand that Inspector Mitchell promptly took action on the verbal information I gave him. I have not been down to Falmouth since to hear with what results; but no doubt you can learn this from himself. I am humbly of opinion, however, that owing to the distance of Duan Vale from Falmouth, and other causes, the dangerous evil complained of will not be successfully grappled and legally suppressed without a small sub-police station in the district, supplied with, say, a sergeant or corporal and one or two privates. And, further, that as the pseudo prayer meetings, or boisterous gatherings rather, are held during nights—chiefly, I hear, Friday, Saturday, and Sabbath nights—there is necessity for officers being on the spot to act at the moment when circumstances call for such being done. Besides, the parties go out in gangs, perambulating the country in the dead hours of night and performing their nonsensical practices with fearful bawlings and yellings, thus disturbing the rest of peaceful and orderly families.

So far as Perth Town is concerned (where, I understand, they were hopeful of growing a party and establishing themselves) there is no likelihood of their appearing there again, they having declared that they had abandoned it, as the people there were "too hardened." My laying information against them with the police inspector, and their being threatened with Lynch law by a number of persons, should they come back, has contributed wonderfully towards this prudent resolution I have no doubt.

The Rev. Mr. Webb, Baptist minister at Stewart Town, called here week before last, and in the course of conversation on this grave matter mentioned that Revivalism is rampant in the parts aback of Stewart Town as well as in certain districts of St. Ann's. He named Keith Hall as the head-quarters of the Revivalists in the former. I believe Mr. Webb would freely communicate with you on the subject, and afford assistance that would be of use to the Government.

If you consider that there is anything in the foregoing which ought to be laid before the authorities, along with my former letter to you, I do not object to your doing so.

I have, &c.

I. W. Fisher, Esq., (Signed) John Aird.
Acting Chief Magistrate, Trelawny.

Inspector-General of Constabulary to the Colonial Secretary.

(No. 150.)

Sir, Constabulary Office, Kingston, December 31, 1866.

In compliance with your letter of the 12th instant I have the honour to acquaint you, for the information of his Excellency the Governor, that I put myself in communication with the several inspectors of the county of Cornwall in reference to the statement made to his Excellency by his Lordship the Bishop of Kingston respecting excesses and blasphemies said to be committed by certain persons in that county.

I now beg leave to forward the accompanying copies of correspondence received on this subject, by which it appears that his Lordship the Bishop of Kingston has been most grossly imposed on by his informants, as I am glad to be in a position to state for the sake of our common humanity that such excesses, extravagances, or blasphemies as those so graphically portrayed in his Lordship's communication never occurred in any parish of the county of Cornwall, though I regret to be obliged to add that the spirit of "Revivalism," with all its concomitant excesses, appears to be still alive and in full operation, though not to the extent represented by his Lordship in other parts of the Island, more especially in the parish of St. Ann's, and I would most respectfully beg leave to suggest that some legislative measure be introduced for its suppression, as I have no hesitation in pronouncing it to be, wherever it exists, demoralizing to the character of the people and most detrimental to the prosperity of the county.

I have, &c.,

The Hon. H. T. Irving, (Signed) J. H. Prenderville,
Colonial Secretary, Spanish Town. Major and Inspector-General of Constabulary.

Inspector Swire to Inspector-General of Constabulary.

Sir, Montego Bay, St. James, December 21, 1866.

I have the honour to acknowledge receipt of your letter of the 14th, covering copy of his Lordship the Bishop of Kingston's letter to his Excellency the Governor, complaining of blasphemous and irreligious acts said to be committed by the peasantry in the county of Cornwall.

I have made every inquiry, and am assured that nothing of the kind has occurred in either this or the parish of Hanover. Travelling frequently through the interior of both these parishes on duty, as I am compelled to do, had there been any foundation for the report it could not have escaped my observations.

I enclose a letter from the rector of each parish on whom I called for any information they might have in their power to give.

I have, &c.,

Major Prenderville, (Signed) J. H. D. Swire.
Inspector-General of Constabulary.

The Rev. D. R. MORRIS to Inspector SWIRE.

MY DEAR SIR, Rectory, Montego Bay, December 21, 1866.

IN answer to your communication of this morning I have to say that with respect to blasphemous enormities particularized by the Bishop of Kingston, I am not aware that I have ever heard of such or similar enormities having transpired in any part of Cornwall, certainly not in the parish of St. James. I have heard reports of some such enormities having transpired in some parts of the mountains of St. Ann's, in the county of Middlesex, but not, I think, to the extent described by the Bishop.

It is possible that some idolatrous rites of the coolies (of which, however, I have had no cognizance myself) may have partly suggested these reports or have become mingled up with them.

With respect to the year 1861, to which the Bishop refers, I think it a Christian duty to say that I believe there were some true and solemn convictions at that time on the minds of many in this Island, as about the same time in Ireland, in America, and other parts, that there was a work of the Spirit of God and also a work of Satan, that all was not extravagances, but that from the perverseness of the human mind, the deep ignorance of many, and the busy efforts of the powers of darkness, very serious evils did also arise in various places.

No evidence has come before myself that Obeahism is increasing in this parish, but it is right to add that the unbroken routine of surplice duties in this large population confines me very much to the town.

I remain, &c.

J. H. D. Swire, Esq., (Signed) D. R. MORRIS.
Inspector of Police.

The Rev. J. DAVIDSON to Inspector SWIRE.

SIR, The Rectory, Lucia, December 20, 1866.

AT your request I am to inform you that until this moment I have heard nothing of the blasphemous proceedings and language reported to have been adopted by certain of the people in the county of Cornwall to which you have alluded, and respecting which you require information.

Had the knowledge or even a seemingly well-grounded rumour of anything so shockingly profane reached me, as the attempt by administering the blood of a goat to imitate the celebration of the Holy Communion, I should have considered it my duty, in the absence of the Bishop, at once to have informed his Excellency the Governor of it.

I have, &c.

Mr. Inspector Swire, (Signed) J. DAVIDSON.
Montego Bay.

Inspector MITCHELL to INSPECTOR-GENERAL of CONSTABULARY.

SIR, Constabulary Office, Falmouth, December 24, 1866.

IN acknowledging the receipt of your letter of the 14th instant, with its enclosure, I have the honour to state that after making due inquiry of several magistrates, ministers, and other gentlemen, as well as my own knowledge of the parish, I find that no such practices as those mentioned in his Lordship the Bishop's letter have occurred in this district.

I have, &c.

Major Prenderville, (Signed) T. MITCHELL,
Inspector-General of Constabulary, Kingston. Inspector.

Inspector WHEATLE to INSPECTOR-GENERAL.

SIR, Black River, December 25, 1866.

I HAVE to acknowledge the receipt of yours, dated December 14th, and enclosing a copy of a letter from the Bishop of Kingston to his Excellency, directing that I should report on the subject.

I have to state that I have been delayed in replying previous to this in consequence of having to make inquiries concerning a rumour circulated about ten months ago, that a boy from Manchester rode a donkey about this parish, and that he was called "Jesus Christ" by the Revivalists; but I cannot find any foundation for the rumour.

John Francis Ricketts, who styles himself "King David," administers the Holy Communion and performs the ceremony of marriage. He uses bread and wine for the Communion. I am glad to say that the sect is now almost extinct; it now consists of four men and about twelve women.

There were no steps taken to prevent the excesses that took place among the Revivalists, from 1860 to 1865, as there is no law in force to prevent it.

I am of opinion that Obeahism has decreased in this parish this year, and, in fact, all descriptions of crime.

The peasantry are much better off now than they have been since 1862.

I have, &c.

Major Prenderville, (Signed) THOS. WHEATLE,
Inspector-General of Constabulary. Inspector.

Inspector CASEY to INSPECTOR-GENERAL.

SIR, Police Office, Savanna-la-Mar, December 27, 1866.

I HAVE the honour to acknowledge the receipt of your communication, dated the 14th instant, No. 118, enclosing copy of letter written by the Bishop of Kingston to his Excellency the Governor, and requesting from me an ample report on the subject thereof.

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In reply thereto I would respectfully state that in this town of Savanna-la-Mar there are no Revival meetings, but in the country parts there are such assemblages, but I have never seen nor heard of such proceedings as is stated in his Lordship's letter. I have made very diligent inquiries, but from none have I heard of such excesses.

In the Leeward portion of the parish, in the district of Saint Paul's, they have been made the subject of magisterial investigation, as some of the parties were apprehended under the Town and Communities Act, and I believe the senior magistrate of that district has been in communication with the acting custos on the subject, and that the case, together with the minutes of the evidence, has been laid before the Governor.

If you wish it I shall be happy to forward to you the notes of the evidence from the magistrates' clerk with the result thereof.

In the Leeward district prompt action has been taken for its suppression if possible, but not knowing how far the law justifies me in doing so, I am not aware, especially as the fanatics who attend them contend that they are for religious purposes. I would, therefore, feel thankful by being informed in what manner I am to proceed against them.

I am informed that in other districts towards St. Elizabeth's similar meetings are being holden, but I will trace the information I may obtain and report thereon when I am in a position to do so.

I have, &c.

Major Prenderville,
Inspector-General of Constabulary, Kingston.

(Signed) JNO. G. CASEY,
Inspector.

No. 22.

No. 22.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 36.) Craigton, Jamaica, March 9, 1867.

(Received, April 3, 1867.)

MY LORD, (Answered, No. 25, April 27, 1867, page 108.)

I THINK it right to inform your Lordship of the present position of the claims to compensation for injuries to property sustained during the disturbances here in 1865, which question is reserved for your Lordship's decision eventually.

2. The numerous claims to compensation made to this Government have been investigated by a Commission (of which Colonel Fyfe was President), appointed by Sir Henry Storks, and the results of the inquiries of that Commission are contained in two reports which have been made to me. The first report of the Commission was defective, inasmuch as it did not show how the damage claimed for was caused, whether by the rioters, or by those employed in the suppression of the disturbances, and I therefore requested the Commissioners to prepare a second statement, separating the claims for losses under the following heads: (1), property pressed by the troops; (2), property injured or destroyed by the insurgents; and (3), property injured or destroyed by the soldiery, sailors and marines, maroons, volunteers, police and special constables. This separation in respect to those claims which have been admitted as being sufficiently supported to be taken into consideration, has not been clearly made in the second report of the Commission; so that the question is still not in a state to justify me in laying the matter before your Lordship for final decision.

3. The claims investigated by the Commission amount to 31,373*l.* 1*s.* 10½*d.*, of which they have rejected as insufficiently supported claims to the amount of 17,104*l.* 3*s.* 10½*d.*; leaving for determination upon general principles, claims to the amount of 14,268*l.* 18*s.* 0*d.*

4. The gross sum of 31,373*l.* 1*s.* 10½*d.* is thus analyzed by the Commission :—

	£	*s.*	*d.*
Property pressed for use of troops	1,713	0	4
Destruction of houses	5,573	5	3
Injury to personal property	23,763	10	11
Miscellaneous	323	5	4½
Total	£31,373	1	10½

5. The damage done by

	£	*s.*	*d.*
Insurgents	21,334	3	9½
Soldiery	7,369	19	4½
Blue Jackets and Marines	614	16	0
Maroons	1,095	11	5
Police, special constables, and individuals	958	11	3½
Total	£31,373	1	10½

6. There is one item in this account which in my opinion does not properly come under the head of rebellion compensation claims at all. I allude to the claim of 1,713*l.* 0*s.* 4*d.*, on account of property impressed or borrowed for the public service, and either lost or stolen or destroyed. It appears to me that this class of claim, so far as it is established, ought to have been paid at once, and should now be paid forthwith. Of the gross amount of 1,713*l.* 0*s.* 4*d.*, the Commissioners admit as sufficiently supported claims to the amount of 834*l.* 10*s.* 7*d.*, and I have directed the immediate payment of this amount. This is but treating these claims as many other claims of precisely the same nature have been treated already. Deducting this item of claim, the amount in respect of which the decision of Her Majesty's Government will eventually be asked for is 13,434*l.* 7*s.* 5*d.* But unfortunately the schedules prepared by the Commission do not show how much of this last-mentioned sum is in respect of property destroyed by the insurgents, and how much is in respect of property destroyed by the troops, &c.

7. It is necessary therefore to submit the schedules to a further examination.

8. It has occurred to me that in the course of this further examination which has become necessary, it will be advisable to divide the last-mentioned class of claims into two subdivisions, the first consisting of claims on account of property belonging to persons who were, or who there is reason to believe were, implicated in the disturbances, and the destruction of whose property was the consequence of their having been so implicated; and the second consisting of claims on account of property belonging to other persons destroyed in the course of the suppression of the disturbances, whether by an unfortunate necessity or otherwise. For this purpose it will be obviously proper to employ some one wholly unconnected with the operations which have given rise to the claims. I have accordingly dissolved Colonel Fyfe's Commission, with a due recognition of its services; and I have placed the further inquiry still necessary in the hands of Mr. Hider, a gentleman who had no concern in the operations in question, who has been for some time acting with great credit to himself as a stipendiary magistrate, and who I have no doubt will perform what remains to be done in a satisfactory manner, and without any avoidable delay.

I have, &c.
(Signed) J. P. GRANT.

The Right Hon. the Earl of Carnarvon,
&c. &c. &c.

No. 23.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 43.) King's House, March 11, 1867.
MY LORD, (Received, April 3, 1867.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch No. 137* of the 31st January, and to express my regret that, in forwarding to your Lordship the Jamaica Law, No. 7 of 1866, I should have omitted to accompany it with an explanation of the grounds on which, whilst the mail service with New York is discontinued, the duties which had been imposed mainly to defray the cost of that service are retained, and appropriated to the general revenue.

* Page 103.

2. I beg leave now to explain to your Lordship, that the intention in passing this Act was to carry out a reduction of charge found to be necessary from the disordered condition in which the late Government left the finances.

3. The mail service to New York might have been worth five thousand pounds (5,000*l.*) a year (though it is by no means certain that it would have been so), if the finances had been prosperous. But under the very heavy deficit actually existing, it certainly was an extravagant charge.

4. The special funds raised for the purpose had no natural connexion with the particular service in question, they being simply an addition to certain import duties, and thus differing in no respect from the main bulk of the Customs revenue. The law which, when the service was abandoned for which those additional duties were imposed, retained the duties, and applied them to the purposes of the general revenues, is in theory the introduction of a new source of general revenue, and thus, *pro tanto*, a reduction of the general deficit. But it has this practical advantage, that it does not in

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reality impose a new tax or duty, to which trade is unaccustomed. It is therefore practically unfelt, except in its effect upon the Treasury.

5. Thus the effect of the arrangement has been simply that of the reduction of a large charge which was generally felt to bear too heavily on the Exchequer, in the existing state of the Island finances.

6. Knowing that it would be necessary to impose new taxes, and foreseeing that this could not be done without exciting some degree of discontent, it seemed to me to be my duty to leave all old and accepted taxes untouched, and to make them go as far as possible, by reducing every item of expenditure capable of reduction, without public injury.

Not printed. 7. I enclose a statement showing the financial position of this Government on the Not printed. 30th of September last, and also a return showing the reductions of expenditure which have been effected up to the present date.

8. The former statement shows that, after allowing for all extraordinary expenditure, whether in connexion with the rebellion or otherwise, and for all charges provided for by loans, the ordinary current expenditure in the last year exceeded the whole revenue of the Colony by 40,719*l.* 2*s.* 4*d.*, to which must be added a sum of 2,750*l.* on account of a short payment of sinking fund due within the year, but not paid until after its close, thus raising the deficit, exclusive of extraordinary charges, to 43,469*l.* 2*s.* 4*d.** The latter statement shows already a net reduction of 16,696*l.* 3*s.*; to which must be added a sum of 4,562*l.* 2*s.* saved in the repairs of main roads; thus making the net reduction 21,258*l.* 5*s.** Further reductions are in progress; but when it is remembered that provision was required to be made for an improved police and judicial establishment, at a heavy cost, besides the above deficit, I believe it will be conceded that any reduction of an existing source of income would have been inexpedient.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c. (Signed) J. P. GRANT.

No. 24.

No. 24.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 50.) King's House, March 23, 1867.
(Received, April 13, 1867.)

MY LORD, (Answered, No. 27, April 27, 1867, page 109.)

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch * Page 103. No. 150* of the 12th of February, forwarding a copy of a letter from the Bishop of Kingston, in which he proposes that partially incapacitated clergymen, instead of receiving a retiring allowance, should receive full salary, with an additional allowance of 100*l.* a year, to enable them to keep a curate.

2. The Bishop's proposal does not in any way apply to the arrangements which I have submitted to your Lordship, with a view to reducing the number of incumbents. In any case in which the Colonial Government can dispense with a rectory or Island curacy, a saving is effected by pensioning the incumbent. Until the number of clergy shall have been reduced to the limit at which it is to be permanently maintained, it is the object of the Government to hold out inducements to incumbents to resign, and not to hold out inducements to them to hold on to their offices, after becoming incapacitated for the complete discharge of their functions.

3. At present, therefore, the suggestion to grant allowances to clergymen who have become inefficient from age, for the purpose of enabling them to retain office with full salary, is inapplicable, and indeed I am not yet prepared to support his Lordship's plan, even prospectively, for I think the result would be, in practice, to prevent clergymen, who have become quite past their work, from ever retiring on their pensions, as they ought to do under such circumstances.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c. (Signed) J. P. GRANT.

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* On these points see Sir J. Grant's despatch, No. 90 of May 9, 1867, page 58.

No. 25.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 64.) King's House, March 25, 1867.
(Received, April 13, 1867.)
(Answered, No. 26, April 27, 1867, page 109.)

MY LORD,

I HAVE the honour to report to your Lordship the death of the Rev. J. Davidson, rector of the parish of St. Ann in Jamaica.

To the vacancy thus occasioned I have appointed, at his own request, the Rev. Geo. Cheyne, who has recently come out from England to assume the rectory of St. George.

By a bill which is now before the Legislative Council for reducing the number of parishes in Jamaica, it is proposed to unite the parishes of St. George and Portland.

Each of these parishes constitute at present a rectory, and in order to avoid the anomaly of having two rectors in one parish, it seems to me that it will probably be found to be advisable to abolish one of them; and in this expectation I have thought it right to take the first opportunity of leaving one of these two rectories, for the present at least, vacant, the duties being performed by an Island curate in charge. The vacancy in St. Ann's has given me this opportunity, by transferring, at his own request, Mr. Cheyne to it, from St. George's.

I may mention that the transfer of Mr. Cheyne to St. Ann's, besides being agreeable to him, is also in accordance with the wishes of the Bishop's commissaries, and I beg leave to recommend it for your Lordship's sanction.

I propose to offer St. George's with the rank and salary of an Island curate only, to the Rev. J. H. Murphy, Island curate in Spanish Town, to which place at present no less than three clergymen on the establishment stand appointed. In the event of his acceptance, I shall be able to effect a further saving by reducing the existing establishment by one Island curate. The number of clergy in Spanish Town at present is plainly in excess of the requirements of the place, and it will be therefore unnecessary to replace Mr. Murphy.

I have, &c.
(Signed) J. P. GRANT.

The Right Hon. the Earl of Carnarvon,
&c. &c. &c.

No. 26.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 72.) King's House, April 8, 1867.
(Received, April 29, 1867.)

MY LORD DUKE,

I HAVE the honour to acknowledge the receipt of your Grace's Despatch No. 6,* of March, acquainting me that Mr. Charles William Orpen and Mr. Lowry, of the Irish Bar, have been appointed district judges in Jamaica. * Page 107.

2. In answer to your Grace's inquiry, I have the honour to state that as six district judges have been appointed, it will be convenient that no further appointments should be made for the present.

3. Pending the enactment by the Legislative Council of the Bills to establish district courts, and to define their jurisdiction, I have appointed the four district judges who have at present arrived to be stipendiary magistrates in parishes where their services in that capacity will be very useful.

4. I have placed Mr. Purcell in Manchester, Mr. Blair in St. Catherine, Mr. Davidson in Trelawney, and Mr. Rampini in Portland and St. Thomas-in-the-East.

I have, &c.
(Signed) J. P. GRANT.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

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No. 27.

No. 27.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 88.)

King's House, May 9, 1867.
(Received, May 27, 1867.)

MY LORD DUKE,

I HAVE the honour to transmit to your Grace herewith a copy of a report of a Commission appointed by me to inquire into the working of "Wolmer's Charity," together with copy of my minute upon the report.

2. Your Grace will gather from these papers that "Wolmer's Charity" is a large free school in the city of Kingston, supported by revenue derived from the estate of the founder, John Wolmer, who devised it by will in 1729 for that purpose. The income of the school is about 1,300*l.* a year, and the number of pupils on the books is at present 560, but it is found that this number is larger than can be properly accommodated in the existing buildings, and it is proposed to reduce the number to 400.

3. For this school I am very desirous to procure from England the services of thoroughly efficient teachers to fill the offices of head master and second master, and I beg leave to ask your Grace's assistance in obtaining such men through the Educational Department of Her Majesty's Government. The salary of the head master is to be 250*l.*, and that of the second master 150*l.* per annum.

4. I believe that the report of the Commissioners will afford all information as to the character of the school, and the class of children taught in it, which can be required by those to whom the selection of the masters may be entrusted. I do not know that I can add anything to the recommendations of the Commissioners, except to point out the necessity that the head master should be a man thoroughly qualified by temper and experience to maintain the discipline of a large school of coloured boys, and to repeat the recommendation in my minute that one of the masters should be competent to teach choral singing in parts. I attach importance to this; and, as I have stated in my minute, I am of opinion that it may even be desirable to select the second master with special advertance to his ability in this department.

5. It is essential that the new masters should arrive in Jamaica not later than September next.

I have, &c.

His Grace the Duke of Buckingham and Chandos, &c. &c. &c.

(Signed) J. P. GRANT.

Encl. in No. 27.

Enclosure in No. 27.

REPORT of the Commissioners appointed to inquire in the Working of "Wolmer's Charity."

In the execution of the Commission entrusted to us by your Excellency, we have directed our attention to the following points of inquiry:—

1. The character and objects of the institution.
2. The class of pupils admitted.
3. The general supervision of the school.
4. Its daily routine of management.
5. Income and expenditure.
6. The state of the buildings and premises.
7. Adaptability of the institution to the educational wants of Kingston.

With these objects in view, questions were submitted to the Rev. Dr. Milne, from whom valuable information and suggestions were obtained. Questions were also submitted to the head master and head mistress, and, in addition, we visited and inspected the schools and premises, whereby, altogether, we have ascertained the following facts respecting the condition of this important institution:

1. That Wolmer's school is named after its founder, John Wolmer, who, by his will, dated May 21, 1729, devised his estate for the purpose of establishing a "Free School in Kingston."

2. His will being in some respects defective, an Act was passed (9th George 2, chap. 6), about seven years after his decease, by which, among other things, a board of managing trustees was incorporated and provision was made for the purchase of a school house in order to commence the operations intended by the donor.

3. At a later period the trust was transferred to the Common Council of Kingston, in whose hands it remained until the 31st of December last.

4. It appears that the school was originally intended to be an institution for the "free" education (that was to include the higher departments of classics and mathematics) of the children of decayed gentlefolks. But, in consequence of the great change in the social condition of Jamaica, its system of education has, we think wisely, from time to time assumed a more comprehensive form; and it has now

practically become an institution for the free education of all classes of the city of Kingston and its neighbourhood.

5. There can be no doubt that the Corporation of Kingston was not suited to be a governing body in matters of education, and we are not surprised, therefore, to find that numerous abuses have prevailed in the management; and that, while the whole annual income has been of late years fully expended, and the funds entirely exhausted, the buildings have been allowed to fall into a state of decay which will require an immediate heavy outlay, and a consequent retrenchment in the present salaries and other items of expenditure.

6. The institution now consists of two departments, boys and girls, separately conducted, into which pupils are admitted from all classes, without reference to the residence, colour, creed, or positions in society of their parents.

7. The establishment is strictly a "free" school, in which tuition and all school appliances are supplied to the scholars without any charge whatever.

8. The main scope of the institution of late years has been to impart a plain but sound English education. A few (about 12 boys) are taught classics and mathematics, but the Inspector thinks that this has been useless, and a waste of teaching power, and, moreover, an unfair arrangement, considering the large number of pupils in the school who are excluded from this privilege.

9. That the mode of admitting pupils has hitherto been defective and injurious in two respects:—

A. In the scholars being allowed to enter at any time without reference to regular school terms.

B. In the course pursued by the trustees of admitting and re-admitting pupils on their own responsibility, and without any kind of restriction or inquiry, by an order simply directed to the head master or head mistress.

This practice has been the fruitful source of confusion in the organization of the classes, while it precluded the possibility of enforcing regular attendance, as the absentees could easily get an order for readmission at any time by applying to a trustee.

10. That there are at present on the books 560 pupils, 258 boys, 302 girls, while there has been an increase in the attendance during the last year of 8 in the boys and 18 in the girls department.

11. That both the head master and head mistsess are allowed by one of the existing rules to take private pupils, to the number of 20 each.

It would appear, however, that they have not availed themselves of this privilege to its fullest extent, but we consider this rule itself to be bad in principle, and calculated to operate injuriously upon the general instruction of the school.

12. No rules or limits have hitherto been insisted upon with reference to the ages of admission and discharge of scholars, or the period they are allowed to remain in the institution. Some pupils have continued as long as ten years, but the average appears to be about five or six years.

13. That the majority of the boys after leaving school become tradesmen or shopkeepers, while a few fill the positions of merchants clerks and schoolmasters, &c.

Several of the girls become dressmakers, and some have been married respectably.

For such purposes a sound English education appears to us all that is requisite.

14. In consequence of the inability and avowed unwillingness of the trustees to exercise a proper and regular supervision, the appointment of an inspector was recommended some years ago, and the Rev. Dr. Milne was elected as "visitor to exercise a special supervision over the schools of the institution, and have the direction and management of the educational department."

This arrangement appears to have worked beneficially in regard to the girls school, where the utmost harmony prevails between the inspector and the teachers, and where his authority is acknowledged and obeyed.

But the same harmony does not exist in the boys department, owing, as it appears, to a misunderstanding between the inspector and head master as to their relative functions and authority.

The effect of this disagreement has been highly injurious, and requires immediate adjustment, in order to secure that state of efficiency in this department that ought to prevail.

15. Dr. Milne's report on the character and competency of each of the teachers is fully set forth in the accompanying Return "B," which, with one or two exceptions, speaks favourably of these officers.

16. The Inspector also reports very favourably of the management of girls school, which he considers in a highly efficient condition, while he represents the boys department as defective in the following particulars:—

A. As wanting in centralized power to correct abuses.

B. As unfairly expending the teaching power upon the select few who are taught the classics, thereby drawing off the attention of the head master from the great majority, who do not participate in this advantage.

C. Arithmetic inefficiently taught.

D. As wrong and injudicious in the head master to give the first class in charge of a monitor during his absence.

E. As exhibiting a total want of harmony between the head master and teachers under him.

F. The system of punishments of no use, and the general discipline very defective.

17. The statements of the Inspector relative to the management were tested, and in most respects corroborated by our personal visit to and examination of the institution on Thursday, the 14th instant.

The girls appeared very neat, orderly, and well arranged in their several divisions.

The reading of the first class was clear, natural, and intelligible, and the writing as good as could be desired.

The absence, however, of needlework, among so large a number of girls, many of whom may have to earn their livelihood by the needle, struck us as a serious defect that calls for immediate attention.

The reading in the first division of the boys school was for the most part careless, indistinct, and devoid of proper expression, while the manner in which this class was conducted by the head master impressed us very unfavourably as to his ability in the art of teaching and governing his pupils.

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The status of the second class, which we briefly examined in reading and geography, was not satisfactory.

Practical arithmetic in both these classes also was not creditable, and seemed to indicate defective training in this branch.

We found, moreover, that although on the occasion of our own visit all was quiet and orderly, we were informed, and can fully believe, that, owing to the large number of boys crowded together, and taught in one room, great noise and confusion prevails, so that the attention of the teachers and scholars must necessarily be distracted, and the work of their respective classes seriously disturbed.

We further observed that from the manner in which the third and fourth classes are crowded in the narrow spaces of the open piazzas, where they are exposed to the heat and glare of the sun, it must evidently be impossible for the teachers to instruct or govern them properly.

Such a seriously defective arrangement ought to have been remedied long ago.

18. Most of the buildings appear out of repair, and will require considerable outlay to put them in good order, and increased accommodation must at once be provided for the proper working of the boys school.

19. The present income and expenditure are as follows:—

Income.

	£	s.	d.
Perpetual annuity	900	0	0
Interest on 2,400*l.* always included in Appropriation Act	144	0	0
Interest on 2,600*l.* debentures	156	0	0
Interest on 1,750*l.* ditto	105	0	0
	£1,305	0	0

Expenditure.

	£	s.	d.	£	s.	d.
Salaries in the Boys Department:						
Inspector	100	0	0			
Head master	252	0	0			
Second ditto	140	0	0			
Third ditto	72	0	0			
Fourth ditto	60	0	0			
Two monitors	36	0	0	— 660	0	0
Salaries in the Girl's Department:						
Head mistress	138	12	0			
Two mistresses	60	0	0			
Three ditto	40	0	0			
Four ditto	36	0	0			
Three monitresses	42	0	0	— 316	12	0
Clerk, 30*l.*; messenger, 10*l.*; insurance, 24*l.*; cleaning, 18*l.*; books and stationery, 195*l.*; advertising, 32*l.* 3*s.*; casual repairs, 11*l.* 15*s.*				310	18	0
Total				£1,287	10	0

Recommendations.

With these facts before us, and having in view the further improvement of this valuable nstitu tion, so as to ensure for it the greatest amount of efficiency and practical ability as far as its present means will allow, we would recommend the following alterations:

1. That the number of pupils be limited to 500 in all, *i.e.* not to exceed 250 in either department.

2. That the terms of admission should be strictly confined to quarterly periods of the year. A record containing the names of applications should be kept, from which, at the proper times, pupils should be selected to fill the vacancies that may occur, when preference should always be given to the residents of the city and parish of Kingston, and legitimate over illegitimate children.

3. That the ages of the scholars should be between six and fifteen for boys, and six to sixteen for girls; and that none be retained in the institution beyond these ages.

4. That the scholars to be admitted shall be elected at full meetings of the board of management at the regularly appointed times; and that the former system of admitting pupils by the orders of individual trustees be entirely abolished.

5. That a new code of rules and regulations be framed and adopted as soon as possible, one of which should make provision similar to that of the twelfth rule for enforcing the regular and punctual attendance of the pupils.

6. That the paid offices of clerk and treasurer be abolished, and that the inspector be requested to take charge of the books, which duty we understand he is willing to perform.

7. That the functions and authority of the inspector be more clearly defined; and the head master, head mistress, as well as all the other teachers in both schools, be required to conform strictly to his directions in all matters consistent with the terms of his instructions.

8. We also recommend that the teaching of classics and mathematics be at once discontinued; but in case of any pupils evincing a peculiar aptitude for acquiring languages or mathematics, that it shall be in the power of the managing board (when the funds are sufficient for that purpose), on the recommendation of the inspector, to appropriate a certain sum annually by way of money grants or exhibitions for the maintenance of a few boys at some good classical school in this Island under regulations to be fixed by the board of management.

9. We think that arrangements should be made as soon as possible, when funds can be made available for the purpose, to employ a master to give instruction in the French and Spanish languages; and we consider, moreover, that it would be highly beneficial to introduce at once vocal music and drill exercises, such as are now in use in the schools of Great Britain and America.

10. That no paid monitors be employed as heretofore, and that in lieu of these the teachers should be instructed to train a few of their most advanced scholars as assistants, to be compensated by extra instructions, and an occasional prize.

11. That no books or other appliances shall be purchased or introduced into the schools, except by an order of the board of management on the written application of the inspector.

12. That proper measures should immediately be taken to introduce plain needlework and the art of cutting out garments, into the girls department.

13. Under the emergency of providing for the immediate outlay required to repair and alter the buildings, we deem it necessary that a large reduction in the annual expenditure should be adopted; thus obviating the alternative of entrenching upon the capital of the trust, which we think would be very objectionable; and for this purpose we recommend the following scale of allowance for the present:—

	£
Salary of inspector	100
„ head master	200
„ second master	120
„ third master	72
„ fourth master	60
„ head mistress	120
„ second mistress	60
„ third mistress	40
„ fourth mistress	36
Insurance	24
Keeper of buildings	30
Water rates	16
Books and stationery	100
	£978

14. The increased accommodation needed in the boys school, as previously mentioned, must in our opinion be obtained by removing the third and fourth classes from the upper room to the lower apartments; and as there does not appear to be any necessity for the head master to reside on the premises, we recommend that the rooms now occupied by him be appropriated to that purpose.

The accompanying estimate of the Hon. Colonel Mann will show the contemplated alterations and repairs that are necessary.

15. Lastly, we would direct attention to the necessity of early legislation with reference to this charity, for the purpose of amending the existing Act in certain points, such as removing the present restrictions as to the place and time of holding meetings of the trust, regulating the admission of pupils and their continuance in school, and for placing this trust, in common with the endowed schools of the Island, under the controul of a duly qualified board or council of education.

In the meantime the supervision of the trust should remain in the hand of the municipal board as the successors of the late corporate body of Kingston.

In conclusion we wish to remark that we have given full consideration to the subject of introducing the industrial element as part of an improved system connected with the management of this institution. There can be no doubt that the premises might easily be adopted to this purpose, and it appears to us very desirable that some useful trades, and other branches of industry, should form part of the daily routine; but the more pressing demands for alterations and repairs just now compel us to recommend the postponement of any such important and extensive improvements to some future period.

In the meantime, however, and so as ultimately to secure the range of building now occupied as poor houses, for workshops, &c., we would suggest that no new inmates be admitted, and that notice be given to the present occupants of their probable removal.

(Signed) Lewis Q. Bowerbank, Custos of Kingston.
D. H. Campbell, Rector of Kingston.
John Savage, Inspector of Schools.

Note.—The answers to queries mentioned in the above as coming from the inspector, head master, and head mistress of the schools, together with the estimates from the director of roads, were not sent down with the report.]

The Governor's Minute was next read as follows:—

"This is a very good practical report. The good services of the committee must be cordially acknowledged.

"It appears that extensive repairs to the buildings are indispensable; that a head master, at least, and perhaps one or more assistant masters, must be obtained from England, and that money must be saved in order to make the repairs without trenching upon the capital, if possible.

"For all these three reasons combined, I think it will be advisable to close the boys department for three months. As the holidays are in June, the boys department can be closed from 1st June to 1st September, supposing that the repairs can be executed in three months; if not, till October. The services of the masters for the boys school can be dispensed with from 1st June, notice being given them now."

"It is recommended that only four masters and four mistresses be engaged in future. I doubt if this number can thoroughly teach and look after more than 200 boys and 200 girls. I think it much better that a smaller number should be well taught, than a larger number defectively taught. Moreover, I am

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doubtful if the building affords full accommodation for more than 400 scholars, and 400 is a large number for any institution.

"I am therefore of opinion that it may be well to reduce the number even below what the Commissioners have recommended, and that 400 should be the limit.

"When the school reopens, it can reopen with this number; the oldest scholars, the boys of fourteen and upwards, and the girls of 15 and upwards, being struck off, and the most irregular in attending, and otherwise the least promising scholars being also struck off till the maximum is reached.

"The funds hereafter will afford more masters and mistresses, but I think all the spare money will be best spent upon industrial training and singing, and a little drill training.

"I am not quite sure that the services of a really efficient head master can be obtained from England for 200*l.* a year. I should be inclined to go as far as 250*l.*, if so much is found to be necessary for the purpose; and to procure a good second master also from England for 150*l.* The institution is rich enough to be well manned, and it is capable of being quite a model school of its class.

"As the head mistress has done so well, I think it would be a discouragement to good services to reduce her pay. I would leave it at its present rate, or say 140*l.*

"I think it of very great importance either that the new head master should be able himself to teach choral singing in parts, or, what perhaps may be better, that the new second master should be engaged with special advertance to his ability in this department. The people in Jamaica seem to me to be amongst the most musically inclined people in the world, and nothing has been done to develope their genius in this way. I am sure that nothing would popularize our educational system so much as the introduction, in its modern effective form, of this fresh element into the Jamaica Schools.

"I am doubtful of the advantage of attempting French and Spanish. It would not be so much out of character as the Greek and Latin suggested by the present worthy head master, and actually taught to a very few boys out of several hundreds. But still it would be out of character in a school which is intended for the children of working people, artizans, and petty shopkeepers. An elementary education in English, including reading, writing, and speaking intelligibly and well; an useful acquisition of arithmetic; training in religion and morals; training in good working habits, and in the use of the eyes, hands, and limbs; training, where possible, in some one branch of industry by which a livlihood can be gained; and training in singing, as a present relaxation and a future source of innocent amusement, in a country where innocent amusements are the great want of the social life of the people, are what we should aim at, in my opinion, in a school of this class.

"Possibly half-yearly may be found more convenient than quarterly entrance periods. But on this point the Commission are likely to know best. In other respects, I agree entirely in the recommendations of the Commission, especially in the importance to be attached to needlework for the girls. If it were possible to give girls a little training in the appropriate domestic work which makes the houses of poor and rich comfortable, such as cooking, baking, dairy management, the girls chances of finding good places as domestic servants would be improved. But I fear little in this line could be done in a school in the town of Kingston.

"Mr. Aikman can be consulted as to a new law, which should provide for the superintendence of a Council of Education as soon as the Governor shall constitute one.

"The outhouses should be cleared forthwith, and prepared for the early introduction of industrial training."

"April 4th, 1867. (Signed) J. P. GRANT."

No. 28.

No. 28.

COPY of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to his Grace the Duke of BUCKINGHAM and CHANDOS.

(No. 90.)

King's House, May 9, 1867.

MY LORD DUKE, (Received May 27, 1867.)

24th Dec. 1866.

IN forwarding the Financial Secretary's estimate of the receipts and expenditure of this Colony for the current year 1866–67, and referring your Grace to the several laws which have been passed for providing the additional revenue therein shown to be necessary, and for the appropriation of revenue for the service of the year, as noted on the margin, I will take the opportunity of explaining at length the financial position of the Colony as on the 30th of September 1866, that being the close of the past financial year, in the course of which the former constitution of this Colony came to an end.

Encl. No. 2. No. 10 of 1867.
" 11 "
" 17* "
" 18 "
" 21 "
* Not printed.

2. The position was much worse than had been generally expected.

3. The financial result of 1865–66 was very bad, even after making full allowance for the extraordinary expenses incurred within the year, in consequence of the disturbances in St. Thomas-in-the-East; and this year was but one of a series of years in which the annual accounts showed a succession of deficits. This series of deficits will be apparent, after making full allowance for all expenditure upon new buildings, and new roads and bridges, and even for a considerable expenditure upon repairs, and for extraordinary expenditure on account of the late disturbances; for all which classes of expenditure special provision had been made by money expressly borrowed for the purpose. For extraordinary objects, chiefly for new main roads and bridges, a series of considerable loans had been raised. The interest required for the loans raised from 1861–62 to

1865–66, aggregating 170,723*l.* 15*s.* 6*d.*, amounts now to an annual charge of 10,243*l.* 8*s.* 6*d.*, to which in most cases a charge of from 2½ to 3 per cent. must be added for sinking funds. But much of this money had been well spent. It was a recurring deficiency of gross revenue to meet ordinary expenditure : that was the evil.

4. The system on which the financial accounts were prepared for the House of Assembly was confused. The appropriated revenues and expenditure thereof were not shown, and the debt account was so embodied in the revenue account as to make the results not readily intelligible. On this subject I beg leave to refer your Grace to the remarks of Mr. Eyre upon the Blue Book of 1864. I cannot but think that the system of annual deficits might have been checked in its early stages, if the fact had been made sufficiently manifest. But at the end of the year 1865–66 it had grown to very unmanageable proportions.

5. I annex to this Despatch five statements,* being analyses of the several financial accounts of the years 1861–62 to 1865–66 inclusive, prepared so as to separate the debt account from the revenue receipts and disbursements.

* Not printed.

6. The following Table shows the results of these statements :—

	Excess of ordinary Charges over gross Revenues (Receipts of Loans excluded).	Expenditure from Loans and Funds raised for special Purposes.	Gross Excess of Expenditure.	Loans raised and Increase of Deposits repayable.	Paid off by Sinking Funds.	Cash Balance at the close of the year.	Total Receipts of Revenue.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1861–62 -	3,376 2 5	31,320 0 0	34,696 2 5	36,275 8 10	14,212 6 0	63,307 14 5	338,238 4 2
1862–63 -	7,569 7 11	33,708 5 0	41,277 12 11	34,911 6 3	14,962 6 0	56,941 7 9	344,760 1 10
1863–64 -	14,016 11 7	25,887 0 0	39,903 11 7	36,317 12 8	15,637 6 0	53,355 8 10	333,496 13 1
1864–65 -	19,587 6 2	25,630 0 0	45,217 6 2	33,995 2 0	16,492 6 0	42,133 4 8	334,877 5 10
1865–66 -	27,519 8 7	40,719 2 4	68,238 10 11	34,465 17 9	14,212 6 0	8,360 11 6	327,359 3 7
TOTAL -	72,068 16 8	157,264 7 4	229,333 4 0	175,965 7 6	75,516 10 0	224,098 7 2	1,678,731 8 6
Annual Average	14,413 15 4	31,452 17 5	45,866 12 9	35,193 1 6	15,103 6 0	44,819 13 5	335,746 5 8

There is only one point on which the above table shows a satisfactory result, which is that the annual payments to the several sinking funds, provided for the eventual extinction of debt, have been regularly made. A sum of 2,900*l.* should be added to the amount entered under this head for the year 1865–66, which has been since paid, and the nonpayment of which in 1865–66 was accidental.

7. It will be observed that the last of this series of years gives the worst result, according to these accounts. But to get at the true result additional items must be considered, which greatly increase the true deficiency in the year 1865–66.

8. In the first place, to the excess of ordinary charges over gross revenues must be added a sum of 13,075*l.* 4*s.* 6*d.*, being the amount of certain export duties appropriable originally by law to the Immigration Fund, which were by a special law diverted from that purpose, and were expended in ordinary disbursements. As the Immigration Fund now requires the money, it has been necessary in the current year to raise the amount by loan. A similar diversion was made in the previous year, 1864–65, which will doubtless involve the necessity of a similar loan next year. A sum of 2,900*l.* due in 1865–66 to a sinking fund was, owing to accident, not paid within that year, though a charge belonging to the year. And the revenue of 1865–66 exceeded that naturally belonging to the year, by very large anticipatory payments on account of rum duty, paid for rum taken out of bond last year, and stored for consumption in the current year, by reason of the necessity of an increase in the rum duty having been foreseen long before the new Legislature met. The amount in which the revenue of the last year gained at the cost of the revenue of the current year, in this manner, cannot be ascertained. At the time this amount was estimated at about 12,000*l.*, but from the length of time that the store of rum taken out of bond at last year's rate of duty has lasted, I believe that 20,000*l.* may be nearer the truth. Taking it at only 16,100*l.*, a sum of 32,075*l.* should be added to the column showing the excess of ordinary charges, and the same sum to the column of gross excess of expenditure, in order to show how far the ways and means provided for the charges of that year fell short of what ought to have been provided by the late Legislature. Thus truly the taxes provided were by upwards of 59,594*l.* less than the ordinary expenditure of the year. This upon a gross revenue of 327,359*l.* is a large gap to fill. In the same manner the gross expenditure exceeded the gross receipts of revenue by 100,313*l.*

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9. At the same time it was necessary to incur a very large additional expense on account of police, for the sake of public order; and a considerable additional expense in the parochial judicial department, for the sake of public justice. The amount set down in the estimates of the current years for these two purposes is 25,000*l.*, but it will not exceed 16,000*l.*, I believe. In fact both departments are as yet only in course of formation.

10. The problem which the new Government had to solve was, abstaining from all new public works, or other avoidable expenses of an extraordinary nature, by a combination of reductions and new taxation, to provide for a sum amounting to about 20 per cent. upon the gross revenues, as previously existing.

11. Since the day of my arrival here I have lost no opportunity of making every reduction of expenditure that could be made without public injury or private injustice.

12. A statement (Enclosure 3), appended to this Despatch, will show the annual amount of the reductions already made. The net result of the changes made in consequence of the new Constitution shows a net reduction of 2,832*l.* a year, but from this I expect that something must be deducted on account of proposed increase to some pensions. The other reductions that I have found it as yet possible to make, after allowing for a slight additional expenditure on account of the Excise, amount to the net sum of 18,214*l.* In all the reductions already made amount to 21,046*l.* a year net. A considerable field of prospective reductions is still open, but the saving from these cannot be otherwise than gradual. On the other hand, the new taxes will involve a considerable expenditure, in order to the constitution of an effective and systematic Inland Revenue Department—a department which at present can hardly be said to have any existence at all. But the better collection of the taxes themselves, which have never yet been properly collected, will pay for this.

13. The main source from which additional revenue has been heretofore usually looked for, when admitted to be necessary, has been the Customs, that being the department in which duties can be increased with the least outcry. But an increase of export duties, for general purposes, would be recommended by few; and I believe that a perusal of the Financial Secretary's very able Report will convince your Grace, that the Government would have failed in its duty to the mass of the people if it had looked to import duties for any large amount of additional revenue on this occasion.

* Not printed.

14. The return * of actual receipts and disbursements for 1865–66, appended to this Despatch, shows in a new and convenient form the financial details of that year. From this return it will be seen, that out of a gross revenue in 1865–66 of 327,359*l.*, the Custom House (including tonnage and other dues) contributed 188,852*l.*, being upwards of 57 per cent.; of this amount 21,326*l.* were contributed by export duties, leaving 167,526*l.* from import duties and tonnage dues. Of this last amount Mr. Rushworth shows that no less than 78,778*l.* were paid on articles of food, which enter into general consumption, and 15,046*l.* on articles of clothing for general use; being together 93,824*l.*, nearly all levied upon the food and clothing of the mass of the people. Now these articles of general consumption are already very highly taxed, so highly that to raise the duties upon them would seem to me improper, so long as other sources of revenue are available. There remained of import and tonnage duties only 73,702*l.* upon the class of articles open to consideration. There are a few of these articles on which an increase of duty has been recommended by the Customs Committee, and on which, by one of the laws enclosed,† an increase of duty has been imposed; but to have raised upon this class the whole or the greater part of the amount required would have been quite impossible. The attempt would have been very injurious to trade, and would have checked consumption.

15. The one obvious source of a large increase to the revenue, the Excise duty on rum consumed in the Island, was taken advantage of on the day of the opening of the Legislative Council, the 16th October 1866, when the rate of duty was raised from 2*s.* 9*d.* to 5*s.* a gallon. The increased rate is not excessive. The duty in Demerara is 8*s.* 4*d.* a gallon, in Mauritius 5*s.* 6*d.* a gallon, in Trinidad 4*s.* 2*d.* a gallon, and in England the duty on spirits is 10*s.* a gallon. In future years it is calculated that this increased duty will raise the revenue from the sale of rum above what it was last year (53,748*l.*) by nearly 30,000*l.* But only a small proportion, if any, of this increase can be expected this year, as a large part of the revenue from the consumption of rum realized last year belonged properly to the present year, owing to speculations made so far back as in August last, as I have above explained. It was estimated that nearly 12,000*l.* of this year's revenue (involving, at the new rate of duty, a loss of at least 20,000*l.* of this year's revenue,) had thus been discounted. But it seems now that this amount was under estimated.

16. Customs and Excise being thus disposed of (after giving Customs full credit for an increase from the expected restoration of that trade to its ordinary degree of prosperity after the depression of last year (which was sufficiently accounted for by the disturbances), and after allowing for reductions of unnecessary expenditure on the one hand, and for necessary new establishments on the other, so far as the finances of the current year would be affected by them, there still remained about 14,560*l.* to be provided for a probable deficiency which the Financial Secretary could not safely take at less than 20,000*l.* This last-mentioned amount, therefore, had still to be raised by new taxation; for this purpose it was necessary to resort to direct taxes; and in my opinion it is well that the proportion of direct to indirect taxes should be increased to this extent, rather than that it should be lowered to the same extent by an increase of indirect taxes. The object was to put on such direct taxes as should in the main bear fairly on every class of people, overburdening no class, and allowing no class to escape.

17. The labouring classes had their full share of the burden already, in the Customs duties on articles of food and clothing. The increase in the Excise duty, though falling on all classes generally, falls of course more heavily in proportion to income on the less wealthy classes.

18. One class of people in Jamaica are in comfortable circumstances; these are the cotters, owning or renting cottages and land, where provisions for the family, and exportable produce, are in the aggregate largely raised. They were not obliged to pay direct taxes in any shape, for whenever such as owned their land did pay a penny an acre for it, such a tax was as nothing. They did not pay in the form of Customs so much in proportion as mere labourers. It was resolved to make this class pay their share of the new taxation, in the form of a tax on houses with land attached. Houses the annual rent value of which was twelve pounds or upwards, paid before a tax of one shilling and sixpence in the pound of their value. This tax has been now, in principle, extended to all houses, excepting those of mere labourers.

19. At the same time it was resolved that the whole of this tax, both the old and the new portion of it, should hereafter be a parochial tax, and should be appropriated exclusively to the poor of each parish, rising and falling according to the necessties of the parish. The expenditure on the support of paupers is considerable (24,500*l.* in 1865–66), and hitherto it has been entirely a charge on the general revenue. Consequently every parish has struggled annually to get as large an appropriation for this purpose as it could, from the late Executive Committee; and no parish has taken any care to use the money with economy, when it got its appropriation. The abuses in this department of affairs have been excessive.

20. I believe that this change of system will be a great advantage in itself; whilst the knowledge of the purpose for which the whole tax is to be appropriated, I hope, will make it less disagreeable to the important class on whom the main part of the new portion of the tax will fall. Appended to this Despatch are copies of a circular to the collectors, and of a confidential circular to the several custodes of parishes for the purpose of having quietly but fully explained to this class of taxpayers the overwhelming necessity of new taxation, the special purpose to which the whole of this tax will be appropriated, and the fact that in the present emergency all other classes have been required to contribute a fair share to the wants of the Colony.

21. Persons engaged in commerce and trade, wholesale and retail, like the other classes above the rank of labourers, paid hardly their share of the Customs duties, and paid no direct tax beyond the house tax, now extended to all but the labourers, and a tax on horses and equipages if they chose to possess such luxuries. It has been resolved to make this class contribute, by applying to this Colony the licence system, which is in very successful operation in Mauritius and Demerara. This system bears no resemblance to an income tax, and should be judged on the same principles as the licensing system in England, in those special cases where licences are there required. To an income tax in Jamaica I imagine no one sees his way; and the amount required on the present occasion is quite insufficient to justify all the irritating, inquisitorial, and arbitrary features of an income tax, which are as great when the yield is small as when it is one of the most important items of revenue. No one will pay for a licence nearly as much as he would have had to pay under any reasonable income tax; and, except the unavoidable necessity of having to pay so much money, the licence tax is free from all the vexations, as it is safe from all the frauds, inherent in an income tax.

22. The only remaining class are the large landholders.

23. If it had been intended to impose any really heavy burden upon land, such burden could only properly have been imposed in proportion to the value of the land; and the difficulty and expense of valuation would have been so great, that no such

land tax could have been economically imposed unless it had been large so as to be a real burden on the landholder. In the depressed state in which the great staple of production of Jamaica has been for a long series of years past, I could not have recommended the imposition of anything that could be called a real burden, which would have fallen heavily on sugar estates. But the plan which has been adopted does not do so, whilst it makes the landowner contribute his fair share of the new taxation.

24. All land in Jamaica was originally Crown property, and it was granted subject to a quit-rent, and to a small land tax, which were long ago consolidated into a land charge of one penny an acre. This is a perpetual first charge on all land, except in some cases in which the owners took advantage of a law since repealed, whereby they were enabled to redeem this charge. This perpetual quit-rent, and tax or charge, has been left untouched, of course whether in the comparatively few cases where it has been redeemed, or in the vast majority of cases where it remains payable always. But a new and distinct tax of one penny an acre has been imposed, by an annual Act, on all land. In return for this tax the owner will obtain a registration of his possession, which, I believe, in many cases will be worth more than the penny an acre; and there is this great advantage in this tax, namely, that it will be levied absolutely without cost. The establishment necessary for levying the old perpetual penny quit-rent will levy the new penny tax, so long as it may be necessary to continue it.

25. As to the sugar estates, of which I have spoken, it is highly satisfactory to me that the Legislature has been able, in the most legitimate manner, and according to the soundest principles, to give them a boon which, though small, is of more value than their portion of this small tax. Sugar planters by the new Customs law have been relieved from import duties on machinery, casks and staves, and other like imported stores required for the purposes of their cultivation and manufacture, for which the duties paid last year amounted to 2,490*l.*

26. It is hardly, I think, pretended that this penny will fall heavily on any land which is cultivated in any manner,—on any land, in short, to which any capital or labour has ever been applied. It is, however, contended by some owners of tracts of land allowed to lie in a state of nature that this penny falls heavily on them. I cannot think that there is much in this complaint. It is not an object of public policy to encourage people to keep large tracts of land in a state of nature, in an Island where the great and incessant demand of the people is for land to cultivate and to grow rich upon.

27. All these three taxes being new and untried will probably be found, after a little experience, to require improvements of detail; but there seems no reason at present to doubt that they will be workable and productive.

28. Even now the people of Jamaica will not be heavily taxed. Mr. Rushworth shows the taxation of last year to have been equal to 14*s.* $2\frac{3}{4}$*d.* a head upon the population. As there are no other compulsory payments whatever, (for the public revenues provide wholly for the sustenance of paupers, the maintenance of the main and parish roads, the ecclesiastical establishment, and the police, and in a great part for schools,) this amount will not be found to be high, when the comparison is fairly made with other colonies and countries of similar character.

29. In conclusion, I have only to ask your Grace to consider the state of extreme disorganization in which the present Administration and Legislature received the finances of the Colony, and the necessity there was for effective and immediate action, with little time for deliberation, and none at all for lengthened inquiries. What was the primary object was to escape a financial convulsion, and to maintain the credit of the Colony. This has been done, although at one time the cash balance (which had been 42,000*l.* a year before) was reduced literally to nothing, for the Colony has raised what money it required on 6 per cent. bonds at par, and could have raised much more on the same terms. It seems not unreasonable to hope that the new taxes will supply the whole of the ways and means necessary for the ordinary expenses of the current year. It will be a comparatively easy task, under the instructions of your Grace, gradually to improve the whole fiscal system of the Colony, when time can be allowed for that purpose.

I have, &c.

To his Grace the Duke of Buckingham and Chandos, &c. &c. &c.

(Signed) J. P. GRANT.

Enclosure 1 in No. 28.

Financial Secretary's Office, 24th December 1866. Encl. in No. 28.

SIR,

I HAVE the honour to place before your Excellency the estimates for the public service in Jamaica during the current financial year.

2. The probable amount of receipts from the existing sources of revenue during the present financial year, ending the 30th September 1867, has been estimated at 354,895*l.*, and to this amount there has to be added the further sum of 13,075*l.*, to be raised by loan under the sanction of the Secretary of State, in order to reimburse the immigration fund for the amount of the export duties, which, though specially appropriated to that fund, was made available last year for defraying with the other items of revenue the ordinary expenditure of the Colony. With this addition, therefore, the gross revenue of the Colony for the year may be taken at 367,970*l.*

3. The total expenditure for the service of the year has been estimated at 379,630*l.*, and to this estimate the sum of 2,900*l.* has to be added to make good certain investments to sinking funds, omitted in the year ended 30th September 1866.

The probable gross amount of expenditure in the year may therefore be taken at 382,530*l.*, thus showing a probable expenditure in excess of the probable receipts by 14,560*l.*

4. The following statement shows the estimated revenue to be derived from each branch of the revenue during the present financial year compared with the actual receipts in the previous year 1865–66, and compared also with the average annual revenue in the three years 1862–63, 1863–64, 1864–65.

Items.	Estimates for 1866–67.	Revenue of 1865–66.	Average Receipts for Three Years, ended 30th Sept. 1865.
	£ s. d.	£ s. d.	£ s. d.
Customs	188,900 0 0	167,526 2 11	189,495 9 9
Excise	60,000 0 0	53,748 19 5	41,263 5 2
Licenses	12,375 0 0	10,564 5 8	9,587 6 1
Immigration	23,100 0 0	23,997 14 6	25,549 18 8
Stamps	14,000 0 0	13,412 7 1	13,994 16 7
Land Tax	6,000 0 0	5,569 3 10	5,915 7 7
Direct Taxes	28,500 0 0	27,553 7 7	30,120 13 1
Fees of Office	300 0 0	301 14 6	576 5 3
Postage	10,000 0 0	11,184 3 2	10,072 17 0
Fines and Forfeitures	1,300 0 0	1,269 1 11	1,738 6 10
Market Dues	1,700 0 0	1,776 15 2	1,546 2 8
Reimbursements in aid of Expenses incurred by the Government	7,420 0 0	8,297 17 5	6,033 19 5
Miscellaneous Revenue	1,300 0 0	1,388 19 4	1,471 8 4
Casual Receipts and Refunds	- - -	768 11 1	567 16 3
Arrears of Tollage	- - -	- - -	115 3 9
£	354,895 0 0	327,359 3 7	338,048 16 5

From the above statement it will be seen that the estimated ordinary revenue in the present financial year, when compared with the actual receipts in the previous year 1865–66, shows an increase in favour of the present year of 27,535*l.* 16*s.* 5*d.*, and also an increase of 16,846*l.* 4*s.* 7*d.*, when compared with the annual average receipts in the three years 1862–63, 1863–64, 1864–65, which is accounted for in the following manner:—

COMPARATIVE TABLE OF REVENUE.

	When compared with the Revenue in 1865–66.		When compared with the Average Revenue in 1862–63, 1863–64, 1864–65.	
	Increase.	Decrease.	Increase.	Decrease.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Customs	21,373 17 1	- - -	- - -	595 9 9
Excise	6,251 0 7	- - -	18,736 14 10	—
Licences	1,810 14 4	- - -	2,787 13 11	—
Immigration	- - -	897 14 6	- - -	2,449 18 8
Stamps	587 12 11	- - -	5 3 5	—
Land Tax	430 16 2	- - -	84 12 5	—
Direct Taxes	946 12 5	- - -	- - -	1,620 13 1
Fees of Office	- - -	1 14 6	- - -	276 4 3
Postage	- - -	1,184 3 2	- - -	72 17 0
Fines, &c.	30 18 1	- - -	- - -	438 6 10
Market Dues	- - -	76 15 2	153 17 4	—
Reimbursements in aid of Expenses	- - -	877 17 5	1,386 0 7	—
Miscellaneous	- - -	88 19 4	- - -	171 8 4
Casual Receipts	- - -	768 11 1	- - -	567 16 3
Arrears of Tollage	- - -	- - -	- - -	115 3 9
	31,431 11 7	3,895 15 2	23,154 2 6	6,307 17 11
Deduct Decrease	3,895 15 2	- - -	6,307 17 11	—
Total Increase	27,535 16 5	- - -	16,846 4 7	—

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From this tabular statement it will be seen that the increase of 27,535*l.* in the estimated revenue for the present financial year, when compared with the receipts in the previous year ended the 30th September 1866, is mainly to be ascribed to larger receipts reckoned on in the present year over the one preceding under the two items of revenue "customs" and "excise," the increase under the customs being 21,374*l.* and under the excise 6,251*l.*; and the increase of 16,846*l.* in the estimate of revenue for the present year, when compared with the annual average receipts in the three years 1862–63, 1863–64, 1864–65, is due to larger receipts calculated on under the excise, and expected from the recent advance in the duties of rum.

The estimate of the revenue for the present financial year has been altogether, I may say, based on the average annual revenue in the three years previous to September 1865, the last year being considered an exceptional year, and one on which a fair estimate could not be well framed.

5. The total expenditure of the Colony has been estimated at 382,530*l.*

The following statement shows the entire estimated expenditure for the present financial year, divided into three heads,—establishments, services exclusive of establishments, and interest and sinking funds:—

	£	*s.*	*d.*
Establishments	160,686	7	7
Services exclusive of establishments	148,471	12	5
Interest and sinking fund, on loans other than immigration loans	59,938	7	10
Ditto on immigration loans	10,533	16	4
Add sinking fund to be made good for the year 1865–66	2,900	0	0
Total	382,530	4	2

The following statement shows in detail the entire expenditure for the present year:—

ESTABLISHMENTS—SALARIES.

Allowances and contingencies.

	£	*s.*	*d.*
Civil	50,722	8	5
Judicial	17,550	0	0
Ditto (new)	5,000	0	0
Ecclesiastical	29,658	0	0
Medical	9,305	0	0
Police—			
Present Establishment	21,114	5	0
New	15,000	0	0
Prisons	8,581	1	4
Education	736	0	0
Geological survey	586	0	0
Militia and Store Department	302	5	0
Immigration Department	2,042	16	0
Colonial Pay, &c.	88	11	10
	160,686	7	7

Services exclusive of Establishments.

	£	*s.*	*d.*
Pensions	6,101	12	0
Revenue Services	756	16	9
Administration of Justice	3,063	19	5
Ecclesiastical	173	18	6
Hospitals and Asylum	8,402	7	0
Police	6,122	0	0
Prisons	18,282	0	0
Education	3,900	0	0
Rents	2,075	2	4
Transport	550	0	0
Conveyance of Mails	4,040	14	0
Roads and Bridges	23,129	0	0
Privy Council	875	0	0
Works and Buildings	4,810	0	0
Immigration	22,818	12	2
Lighthouses	700	0	0
Geological Survey	180	0	0
Guarantine	500	0	0
Contribution to Military Expenditure	1,336	10	0
Miscellaneous	3,419	17	1
Parochial Expenditure	37,234	3	2
	148,471	12	5

Establishment.—Salaries—*continued.*

Interest and Sinking Funds on Loans other than Immigration Loans	59,938	7	10
Ditto ditto on Immigration Loans	10,533	16	4
Sinking Fund to be made good from the year 1865–66	2,900	0	0
Total	73,372	4	2

Owing to the system in force here of blending together the expenditure for the salaries of the civil establishment and the expenditure for services exclusive of establishments, it is impossible, without a thorough classification of the accounts of the past year, to contrast in detail the estimated expenditure for the current year with the actual expenditure for the year ended the 30th September last.

In the past year the total expenditure amounted to 395,597*l.* 14*s.* 6*d.*, and the gross estimated expenditure for the current year is below that amount by 13,067*l.* 10*s.* 4*d.*

To make a fair comparison between these two years several items which figure in the accounts of these years should be excluded.

On the one hand, from the expenditure of 1865–66 all the monies raised by loans and expended on services for which the loans were taken should be excluded. Those monies amounted to 40,719*l.* 2*s.* 4*d.*; and by the withdrawal of this sum from the accounts the ordinary expenditure for the public service of the Island in 1865–66 will be reduced to 3,548,878*l.* 12*s.* 2*d.*

On the other hand in the estimate of expenditure for the current year so much of the expenses about to be incurred for immigration purposes beyond the amount defrayed under the like head of service in 1865–66 should be expunged, as also the amounts to be re-provided this year for making good the short investments in the past year for sinking funds. The expenses for immigration are set down in the estimates of the present year at 35,425*l.*, and in the past year the actual expenditure under this head of service amounted to 11,580*l.* Deducting, therefore, the difference between these two sums, viz. 23,845*l.*, and the provision for the short investments in the past year for sinking fund, viz. 2,900*l.*, the estimate of expenditure for the ordinary service of the current financial year will be reduced to 355,785*l.* For the establishment, however, of a fair comparison between the two years there should also be taken into consideration two additional heavy charges now included in the estimated expenditure for the current year, viz., 20,000*l.* for police and 5,000*l.* for new district judicial appointments; and setting also these new charges aside when contrasting the estimated expenditure in 1866–67 with the actual expenditure in 1865–66, the accounts for the two years will stand thus:—

	£	*s.*	*d.*
Actual expenditure in 1865–66	354,878	0	0
Estimated expenditure in 1866–67	330,785	0	0

showing a saving on the estimate for 1866–67, when contrasted with the actual expenditure for like services in 1865–66, of 24,093*l.*

And this saving in amount corresponds very nearly with the further sum about to be expended in improving the administration of justice and in preserving law and order throughout the Colony.

6. The following statement gives in detail the reductions and augmentations of expenditure which have actually been carried into effect since the 6th August 1866 up to 31st December 1866:—

Reductions.	Amount.			Augmentations.	Amount.		
	£	*s.*	*d.*		£	*s.*	*d.*
Governor's Secretary	1,200	0	0	His Excellency the Governor's Salary	2,000	0	0
Officers of Legislative Council	1,654	0	0	Colonial Secretariat	2,900	0	0
Ditto Assembly	3,671	5	0	Financial ditto	2,717	10	0
Executive Committee	3,800	0	0	Legislative Council	700	0	0
Steam communication with the United States	4,900	0	0	Rum Duty Act, Salaries	1,500	0	0
Perpetual Annuity	2,400	0	0	Pensions	1,160	0	0
Customs' Salaries	175	0	0				
Coroners (2)	192	0	0				
Magistrates' Clerk (1)	96	0	0				
Prison, Montego Bay	240	0	0				
Rector, St. George	41	0	0				
Ditto, St. David	490	0	0				
Island Curate, Hope Bay	140	0	0				
Stipendiary Curate, Aboukir	150	0	0				
	19,149	5	0		10,977	10	0

Total reductions	19,149	5	0
Total augmentations	10,977	10	0
Saving of	£8,171	15	0

And without going over in detail the several items of expenditure in 1865–6, and contrasting them respectively with the amounts estimated for in 1866–7, I may observe that with the saving already

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shown on the above Return, there are two other items of expenditure in the present year's estimate on which no slight savings are effected, viz., 5,000*l.* on parochial expenditure and 6,400*l.* on prison expenditure.

7. I have next to invite attention to the actual financial condition of the Island at the commencement of the year to which these estimates refer.

At the close of the financial year 1864–5 the assets of the Colony are returned by the Receiver General at 54,900*l.* 9*s.* 9*d.*, but excluding one asset of 8,600*l.*, (an advance from the chest in aid of main road purposes, for the replacement of which no provision has been made, and which therefore cannot be claimed as available,) the assets may at that date be taken at 46,300*l.* 9*s.* 9*d.*

The liabilities of the Colony on the 30th September 1865 are set down at 879,510*l.* 11*s.* 5*d.* These liabilities have in these statements been classed under two heads—immediate liabilities, such as deposits at call, salaries, and other expenditure due, &c., and the liabilities not termed immediate, being loans raised under Island Acts for public purposes.

The immediate liabilities at the close of the financial year 1864–5 are set down at 144,792*l.* 13*s.* 11*d.* and the loans, &c. at 734,717*l.* 17*s.* 6*d.*, giving a total amount of liabilities of 879,510*l.* 11*s.* 5*d.*, from which deducting the assets of 46,300*l.* 9*s.* 9*d.*, there remains a total debt of 833,210*l.* 1*s.* 8*d.*

At the close of the financial year 1865–6 (30th September last) the assets of the Colony are returned at 23,188*l.* 8*s.* 2*d.* (including, however, the assets of 8,600*l.* already adverted to.) Deducting this amount, as in the previous year, the total assets on the 30th September last did not exceed 14,588*l.* 8*s.* 2*d.*

The liabilities of the Colony at the same date are set down at 882,348*l.* 5*s.* 10*d.*, and of this total amount the immediate liabilities claim the sum of 125,031*l.* 8*s.* 2*d.*, and the loans 757,316*l.* 17*s.* 8*d.*

Deducting from this sum of 882,348*l.* 5*s.* 10*d.* the assets of 14,588*l.* 8*s.* 2*d.*, there remains a debt of 867,759*l.* 17*s.* 8*d.*

During, therefore, the year 1865–66 the debt of the Colony has been increased by 34,549*l.* 16*s.*

8. It may be also well to note carefully the position of the Island Treasury, as shown by these two statements of the Receiver General, to meet at both periods the liabilities which, apart from grants and deposits at call, may be considered as pressing and most immediate, such as the salaries, the contingent expenses of the Civil Service, the parochial contingencies, and the interest on loans, due for the quarter and half-year just closed.

The monies in hand and available in the Island Treasury on the 30th September 1865 were 40,313*l.* 1*s.* 7*d.*, and the public accounts of the classes above enumerated due and ready for presentment were 36,043*l.* 11. 2*d.*

On the 30th September 1866 the monies in hand and available in the Island Treasury were but 7,323*l.* 3*s.* 6*d.*, and the public accounts due and ready for presentment were 32,571*l.* 17*s.* 8*d.*

9. I have in the next place to invite attention to the amount of taxation at present levied in this Island, and in order to ascertain the proportion that taxation bears to the population I will take the Revenue Returns for the last year.

£	s.	d.
234,687	9	5
10,479	7	6
33,122	11	5
21,326	1	8
27,743	13	7
327,359	3	7

In the year 1865–66 the total sum collected for revenue purposes amounted to 327,359*l.* 3*s.* 7*d.* Of this sum the import, tonnage, rum, and stamp duties contributed 234,687*l.* 9*s.* 5*d.*, the tax on spirit and other excise licences 10,479*l.* 7*s.* 6*d.*, the land tax, the taxes on stock, wheels, breeding stock, and houses contributed 33,122*l.* 11*s.* 5*d.*, the tax on exports for immigration purposes 21,326*l.* 18*s.* 8*d.*, and the remainder, 27,743*l.* 13*s.* 7*d.*, was made up by the Post Office revenue, the prison sales, and sundry miscellaneous items of revenue; and distributing this amount of revenue (327,359*l.* 3*s.* 7*d.*) over the entire population of the Island, reckoned at 460,000, the rate per head would be 14*s.* $2\frac{3}{4}d.$·18.

10. The following Table gives separately the proportion each chief item of revenue bears to the whole population:—

Items.	Amount.			Proportion to Population of 460,000.	
	£	s.	d.	s.	d.
Customs, Imports, and Tonnage	167,526	2	11	7	$3\frac{1}{2}$·61
Exports	21,326	1	8	0	$11\frac{0}{4}$·50
Stamps	13,412	7	1	0	$6\frac{3}{4}$·99
Excise	64,228	6	11	2	$9\frac{1}{4}$·04
Parochial Roads	12,464	6	7	0	$6\frac{3}{4}$·01
Main Roads	3,128	16	7	0	$1\frac{1}{2}$·52
Land Tax	5,569	3	10	0	$2\frac{3}{4}$·62
Breeding Stock and Houses	11,498	17	2	0	$5\frac{3}{4}$·99
Post Office	11,184	3	2	0	$5\frac{3}{4}$·34
Prison Sales	8,079	9	3	0	$4\frac{0}{4}$·86
Miscellaneous	8,480	1	2	0	$4\frac{1}{4}$·69
Total Revenue	327,359	3	7	14	$2\frac{3}{4}$·18

The import dues raised in the year 1865–66 upon articles of food which enter into general consumption amounted to 78,778*l.* 15*s.* 10*d.*, and the Table annexed to this Report, gives the several articles in detail, with the duties received on each class; the proportion this item of revenue bears to the population is at the rate of 3*s.* $5\frac{1}{4}d.$ per head.

The import dues on the articles of clothing for general use amounted in the same year to 15,046*l.* 1*s.* 7*d.*; the proportion the duty on clothing bears to the population is at the rate of $7\frac{3}{4}d.$ per head.

11. Before proceeding to deal with the question of raising most advantageously the further revenue now required for the public service, I will refer very briefly to the amount of revenue collected in the past year by indirect taxation, as well as to that collected by direct taxation, and compare those amounts with the estimates for the present year.

The revenue raised through the means of indirect taxation forms the principal source of the public revenues.

In the last year the import, tonnage, rum, and stamp duties amounted to 234,687*l.* 9*s.* 5*d.*, and in the present year the revenue from the same sources is estimated at 262,900*l.*, an increase over the like receipts in the previous year of 28,212*l.* 10*s.* 7*d.*

The rates of customs duty upon imported articles when compared with other Colonies are certainly high in Jamaica, and although a revision to a certain extent of the present rates may be recommended by the Commission of Enquiry now engaged on the Customs establishment, yet there is but little probability that any alteration in the tariff will affect the revenue of the present financial year, one quarter of which has already nearly expired.

Under the head of excise an advance has already been made on the duty on rum; the rate per gallon of 2*s.* 9*d.* has been raised to 5*s.*

An increase of duty having been expected by the public, a large quantity of rum was taken out of bond in anticipation of such increase, and, therefore, the full effect of the higher rate of duty will not be so perceptible during the present financial year.

The stamp duties stand very much in the same condition as the import duties so far as the revenues of the present year are concerned, and no advance on the amount already estimated for on this item of revenue can be safely reckoned on in the remaining three quarters of the financial year.

The direct taxation consists of land tax, taxes on stock, wheels, breeding stock, and houses, and in the past year contributed towards general revenue the sum of 33,122*l.* 11*s.* 5*d.*, and in these proportions:—land tax, 5,569*l.* 3*s.* 10*d.*, the taxes on stock and wheels, 15,593*l.* 3*s.* 2*d.*, and the tax on breeding stock and houses, 11,960*l.* 4*s.* 5*d.*

For the present year, the revenue from the same sources is estimated at 34,500*l.*, a slight increase of 1,377*l.* 8*s.* 7*d.* over the receipts in the past year.

12. It now only remains for me to offer my suggestions for providing the ways and means for covering by sufficient revenue the estimated expenditure for the current year, and having regard to the position of the public treasury at the commencement of the present financial year, as shown by the returns furnished by the Receiver General, and to which reference has been made in the former parts of this report, as also to the estimates now submitted of both revenue and expenditure for the current year, I cannot advise that the further amount of revenue to be raised during the current year be below the sum of 20,000*l.*

13. In my previous remarks I have endeavoured to show that so far as the present financial year is concerned, it would not be politic to look to indirect taxation for the amount of revenue now required, and although, as a rule, indirect taxes are preferable to those that are direct, it must be remembered that out of a total revenue of 327,359*l.* 3*s.* 7*d.* in the year just closed, the indirect taxes contributed 234,687*l.* 9*s.* 5*d.*, and of this amount the customs duties on imports yielded 155,884*l.* 3*s.* 2*d.* And while there is no doubt that through the imposition of duties on articles in general demand (including thereby the tax in the cost of the articles), the mass of the population are made in the cheapest manner, so far as the cost of collection is concerned, to contribute largely to the revenue, yet there is a limit to these duties whether the articles be used by the higher, middle, or lower classes, and when carried to excess they defeat their own object, as the articles will cease to be in general demand if charged with oppressive and exhorbitant duties.

There is also a further argument in favour of recourse to additional direct taxation at the present moment, and it is one which should, I consider, have weight with the Government in dealing with the question of raising in the most advantageous manner the further revenue now required.

In Jamaica all parochial expenditure forms a charge against general revenue.

In the past year there was expended for parochial purposes, 45,726*l.* 17*s.* 2*d.*, and of this expenditure the maintenance of the poor absorbed upwards of 24,000*l.*, and this charge of itself exceeds by nearly 8,000*l.*, the amount necessary to make good the actual deficiency in the estimates of revenue to cover the estimate of expenditure, and by 4,000*l.* the amount recommended by me to be raised for the general service of the year.

14. Having carefully considered the several component parts of the direct taxation now in force in the Island, I would first invite attention to an item of the present direct taxation, which may, I am of opinion, be made without any undue pressure to yield no inconsiderable proportion of the amount now required.

The present house tax is chargeable on every house of the annual value of 12*l.* or upwards at the rate of 1*s.* 6*d.* in the pound.

From a return prepared in the audit office of houses of the value of 12*l.* and upwards on which dues were paid from the 1st August 1865 to the 31st July 1866, there were assessed to this tax two thousand one hundred and ninety-five houses, and their total annual rental value was estimated for the purposes of the tax at 68,816*l.* 12*s.* 0*d.* the duty on which amounted to a little over 5,160*l.*

This tax may, I am of opinion, be fairly extended to all houses below the annual value of 12*l.*, more especially as it is my intention to recommend in future years the entire appropriation of this tax to defray the expenditure for the relief of the poor throughout the Island.

There is no class of expenditure requiring so much local knowledge, as also direct personal interest, whereby waste of monies may be avoided, as that incurred in the distribution of relief to the poor, and by allowing, as is the case in this Island, each parish or district to retain the distribution in their own hands, without having the corresponding responsibility of raising the sums to be so distributed, one most important and wholesome check in the prevention of wasteful expenditure is removed. This check I propose to restore by making in future years the amount of house tax in each parish or district depend upon the amount required in the parish or district for the support of its respective poor.

Well aware, however, of the difficulty in the enforcement of local rates and taxes by local authorities in this Island, I would recommend the Government to retain in their hands the collection of the tax, and by this means the parish will be assured of the amount, and that also without the cost of collection.

I am aware of no reason why every householder should not contribute his fair quota towards the support of the destitute poor within his own parish or district, a burden recognized as fair and just in

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all civilized communities, and, therefore, I would recommend to extend the tax to all houses under 12*l.* of annual rental value, exempting only the houses of mere labourers not having land attached; and I would further recommend abolishing the exemption on houses above 12*l.* in value on estates and breeding pens.

In the next place I propose to levy a tax on all lands at the rate of 1*d.* per acre. This tax is entirely distinct and independent of the present quit-rent, which is often incorrectly called a land tax.

And, lastly, I would recommend the adoption in Jamaica of the same system of general trade licences (wholesale as well as retail) as is now in operation in the Colony of British Guiana, but at lower rates.

15. From these three sources I propose to supply the additional amount now required in my opinion for the service of the present financial year, viz., 20,000*l.*, and I estimate the additional revenue from each item in the following proportions:—land tax, 6,000*l.*, house tax, 8,000*l.*, and general trade licences, 6,000*l.*

With this additional taxation, estimated to yield 20,000*l.*, and with the loan of 13,075*l.* to be raised to reimburse the immigration monies diverted from the fund last year to general purposes, the estimate of revenue for the year 1866-67 may be taken at 387,970*l.*

This amount will suffice to cover the expenditure belonging to the year of estimate, viz., 382,530*l.*, and will give a balance in favour of estimated revenue over estimated expenditure to the extent of 5,440*l.*

16. The estimates of revenue and expenditure now submitted can, however, be regarded but as approximate estimates, for, until tested by the experience of at least one year, it will be impossible to speak with any certainty on the probable effects on the finances of the reforms now gradually introduced into the whole system and machinery of the local government.

17. The introduction into the Colony of the system of accounts, as also of audit, laid down by the Lords of the Treasury some years back, for observance in the Crown Colonies will, I am confident, be attended with great advantage, and as soon as copies of the Treasury instructions to Governors of Crown Colonies, to colonial treasurers, and paymasters, and to auditors are received, I would suggest their adoption here with the least practicable delay.

I have, &c.
(Signed) EDW. E. RUSHWORTH.

Enc. 2 in No. 28.

Enclosure 2 in No. 28.

JAMAICA—No. 10 of 1867.

Assented to by the Governor 27th March 1867.

A Law for registering all Lands, and for laying a Duty in respect thereof, and for laying a Duty upon upon Houses heretofore exempted from Licence and Registration Duties.

Preamble.

Whereas it is expedient that there should be a register of all lands in this Island, and, for this purpose, that all persons in possession of land should give in a return, and pay the duty herein-after assessed upon them for the same: And whereas it is necessary to raise a tax or duty on houses, heretofore exempted from the duty on houses, as herein-after mentioned: It is therefore enacted by the Governor of Jamaica, with the advice and consent of the Legislative Council thereof, as follows:—

Persons in possession of land to make return to collector of dues, &c.

First.—Every person in possession of land in this Island, as owner, tenant, or in any other character, shall, on the thirtieth day of April now next ensuing, or within fourteen days thereafter, give in to the collector of dues, or other officer of the revenue who may be appointed to receive the same, in the parish where such lands are situate, a just and true return of all lands in his possession, giving the name of the property, or the name of the property of which it formerly formed part, and stating, to the best of his knowledge or belief, the name of the owner or reputed owner of such land, the name of the occupier thereof, and the character in which he holds the said land, and the quantity of acres of which it consists, and with a declaration at foot to the truth thereof; and the return and declaration shall be to the effect set forth in the form A. to this law annexed.

Returns to include lands redeemed.

Second.—The returns under this law shall embrace all lands whatsoever, whether the same shall have been heretofore redeemed from the quit rents and land tax or not.

Duty of one penny per acre to be paid

Third.—Every person making such return shall pay to such collector of dues or other officer as aforesaid the sum of one penny for every acre and for any fractional part of an acre of land in his possession.

on all lands inclusive of lands redeemed.

Fourth.—The duty under this law shall be distinct from and exclusive of the quit rents and land tax now by law payable, and shall be paid as well in respect of lands liable to the former tax as of lands redeemed from such quit rents and land tax.

Collector, &c. to enter particulars in return.

Fifth.—Every such collector of dues or other officer shall enter in a book, to be provided by the Receiver-General, under the direction of the Governor, and to be by each collector of dues or other officer kept for the purpose, and that in such form and manner as shall be directed by the Governor, the particulars of all land herein-before directed to be returned to him, or which, in the absence of any return, shall be assessed by him as herein-after mentioned, distinguishing such lands as shall be returned from what shall be so assessed; and such book shall be always kept in the office of the collector of dues or such other officer, and a copy of the entries therein, certified by the declaration of the collector of dues or other officer, shall be furnished to the Receiver-General at such times and in such manner as the Governor shall direct.

Sixth.—The exemption under the "License and Registration Duties' Act, 1865," or any other Act of this Island, of houses on any estate or pen from the house tax, if occupied by the owner or tenant of the estate or pen, or his family, or by the attorney, overseer, or other servants of the estate or pen, free of rent, shall cease from the passing of this law; and every such house, if of the annual value of twelve pounds and upwards, shall be liable to and shall pay the duty of one shilling and sixpence in the pound of the annual value thereof, and if under the annual value of twelve pounds shall be charged as houses under that value by this law.

Exemption under license and registration duties' act determined.

Seventh.—The word "house" shall mean every occupied or inhabited dwelling house, shop, store, wharf, warehouse, office, or place of business, and shall, for the purpose of such valuation, include and comprise the out-offices, yards, and curtilages attached thereto; and, for the purposes of taxation under this law, the true annual value of every house shall, when tenanted at a rent, be taken to be the rent actually payable thereon by the year; and where otherwise occupied, the full and just yearly rent at which the same is really and *bonâ fide* worth to be let shall be taken as such true annual value.

Interpretation clause.

Eighth.—All houses under the annual value of twelve pounds (not being the dwellings of labourers located on any estate or pen) shall be assessed and charged with a duty thereon, as follows; that is to say,

Duty on houses under 12*l.*

Class 1. Every house thatched or shingled, but without flooring and without land, or to an extent less than one acre, a duty of two shillings.

Class 2. Every house thatched or shingled, with flooring, but without land, or to an extent less than one acre, a duty of four shillings.

Class 3. Every house thatched or shingled, and whether with or without flooring, if the owner or occupier possesses land in the same parish, either attached or detached from such house, equal in extent to one acre or more, a duty of six shillings.

Ninth.—Every person in the possession or occupation of any house by this law made liable to the duty hereby imposed shall, on the thirtieth day of April next ensuing, or within fourteen days thereafter, give in to the collector of dues of the parish or other officer as aforesaid in which such house is situate, a just and true return of such house and the annual value thereof, and if under the annual value of twelve pounds shall show whether the owner or occupier thereof holds any other lands not assessed to the taxes or duties on houses under this or any other law; and the person making such return shall declare to the truth thereof, and pay to the collector of dues or other officer as aforesaid the full amount of the duties imposed on such house by this law, and obtain from him an acquittance of the same.

Persons in possession or occupation to make returns.

Tenth.—Where no return in respect of the duties or any of them under this law shall be made, the collector of dues or other officer as aforesaid shall assess the person neglecting to make such return to the best of his judgment, and according to such information as he may be able to obtain, and shall add thereto one fourth part of such duties as a surcharge or penalty, and shall deliver to the person assessed, or leave at his usual or last known place of abode, or on the premises assessed, a statement of such duties and surcharge, with a demand for payment of the same; and if within ten days after such service the person so charged shall not make a return, as required by this law, and pay the duties for which by such return he shall appear liable, together with a sum equal to one fourth of such duties, the assessment shall be binding and conclusive upon the person charged.

In default of return collector, &c. may assess.

Eleventh.—The payment of the duty upon any house under this law shall, during the current year, exempt any person who may afterwards come to the possession of such house from the payment thereof; but if such duty shall not be paid it may be recovered and enforced against any person who may at any time during the current year be or have been in the possession thereof.

Payment of duty exempts others coming into possession.

Twelfth.—If any house unoccupied at the thirtieth day of April one thousand eight hundred and sixty-seven shall at any time thereafter during the year become occupied, the owner or occupier shall, within fourteen days after the house shall become occupied, make the return in the form B. to this law annexed, in respect of such house, to the collector of dues or other officer as aforesaid of the parish wherein such house is situate, and shall pay to such collector of dues or other officer as aforesaid the duty or proportion of duty calculated for so many quarters of a year (the fractional part of a quarter being reckoned as a quarter) as shall remain of the current year, according to the annual value of such house; and in default of such return the collector of dues or other officer as aforesaid may assess such owner or occupier to the duty or proportion of duty in respect of such house, and add the surcharge thereon, in like manner and proceed thereon as in other cases of assessment under this law.

Provision as to houses occupied after 30th April 1867.

Thirteenth.—If any house charged with duty under this law shall be in the possession of more than one person, the collector of dues or other officer as aforesaid may, to enforce payment, proceed against all or any of the parties, or the landlord thereof, as well as against any goods on any such premises on which a landlord might distrain for rent in arrear.

Where several persons in possession.

Fourteenth.—If any person shall wilfully make a false or undue declaration under this law, such person shall, on conviction thereof, be liable to the like pains and penalties as are imposed by law on persons guilty of wilful and corrupt perjury.

False declaration perjury.

Fifteenth.—The several duties payable by or assessed upon any person under this law may be paid in one entire sum, except when such duties amount to or exceed the sum of four pounds, in which case they may be paid by moieties, the first on the thirtieth day of April, and the second on the first day of August, one thousand eight hundred and sixty-seven, or within ten days thereafter respectively.

Duties to be paid in one sum. Exemption.

Sixteenth.—The several moieties shall be payable and recoverable under the powers contained in or referred to by this law, the first moiety as and in like manner as here directed in respect of the whole duty, and the second moiety shall be recoverable by the powers aforesaid at any time after the expiration of ten days from the time the same shall become payable, and any surcharge shall be payable and enforceable together with the first moiety.

How moieties recoverable.

Seventeenth.—If any person making a return of the said duties shall not therewith pay the said duties, or if any person assessed shall not make a return of and pay the duties to which he is liable,

On default of payment, distress.

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and the surcharge thereon, within ten days after the delivery of the assessment to him, the collector of dues or other officer as aforesaid, without the necessity for any other authority than the directions under this law for the recovery of the said duties so returned or included in the assessment, and the surcharge thereon (if surcharged), and the costs of distress, may distrain the goods and chattels of the person so liable as aforesaid to the said duties, wheresoever found, as well as any goods found on the premises charged to the said duties on which a landlord might distrain for rent in arrear.

How distresses to be dealt with.

Eighteenth.—All distresses under this law may be made upon such property, and shall be kept for such time, and shall be conducted, sold, and disposed of, as other distresses for duties under "The Licence and Registration Duties Act, 1865," and "The Tax Collection Act, 1864," or any other law or laws which may be in force in relation to such last-mentioned duties; and all clauses in such laws for the protection of the person distraining, or which authorize the granting of relief to poor and indigent persons, and which give other remedies for the recovery of the said duties, shall be applicable and applied in respect to the persons acting under this law, and the taxes or duties hereby imposed.

How collector, &c. to proceed when return untrue.

Nineteenth.—If the collector of dues or other officer as aforesaid shall show to the satisfaction of any two justices of the peace of the parish wherein the property liable to the duties is situated, that any person has charged himself in any return with less duty than he is liable to pay, every such person shall not only be liable to pay the amount of the duties so evaded, but an additional sum by way of penalty equal to the amount of the taxes evaded, to be recovered in a summary manner before the said justices, and in case of nonpayment to be enforced by distress and sale of the offender's goods, or imprisonment not exceeding three months, unless such duties and penalty shall be sooner paid; and the duties and penalty may be enforced under the Act thirteenth Victoria, chapter thirty-five, or any other Act in respect to summary proceedings which may be adapted to meet the requirements of this law; and, notwithstanding anything in the thirteenth Victoria, chapter thirty-five, contained, the taxes and penalty may be included and recovered in one proceeding.

Collector, &c. to account to receiver-general.

Twentieth.—The monies of the duties under this law shall be accounted for to the receiver general by the collector of dues or other officer as aforesaid, and be paid into the Colonial Bank to the credit of the receiver-general, as collected and received, within five days after the expiration of each month; and such collector of dues or other officer as aforesaid shall keep such books, and make such returns, in relation to the said duties, as and in such form as the Governor shall from time to time direct.

Penalty on collector, &c. not paying over.

Twenty-first.—Each collector of dues or other officer as aforesaid who shall neglect to comply with the requirements of this law shall be subject and liable, in addition to the payment of the monies received and not accounted for, to the like penalties, recoverable in the like manner, as are in the "Licence and Registration Act, 1865," and "Tax Collection Act, 1864," imposed on collectors of dues neglecting to comply with the provision of these laws as to the duties therein mentioned.

Continuance of law.

Twenty-second.—This law shall continue in force until the thirtieth day of April one thousand eight hundred and sixty-eight; and, notwithstanding the expiry thereof, all duties thereunder may be enforced, and all offences against its provisions be dealt with and prosecuted, and all penalties thereby imposed be recovered, as if this law had continued in force.

SCHEDULE A.

RETURN of Land in the Parish of

Name of Property, or former Property of which a part.	Owner or reputed Owner.	Occupier, and in what character.	Acres of Land.

I do solemnly and sincerely declare that the above return is, in all respects, to the best of my knowledge and belief, a just and true return of all lands in my possession, or under my charge, within the parish of

SCHEDULE B.

Account of all Dwelling Houses, Shops, Stores, Wharves, Warehouses, Offices, or Places of Business.

An Account of all Dwelling Houses, Shops, Stores, Wharves, Warehouses, Offices, or Places of Business, and of the annual Value thereof, belonging to or in the possession or occupation of as in the parish of on the day of one thousand eight hundred and sixty .

Name of Property, Number, and Street of House in any Town.	Description of Property.	No. of Acres.	Annual Value of the Dwelling House, Shop, Store, Wharf, Warehouse, Office, or Place of Business.	Remarks.

The above is a correct account of all dwelling houses, shops, stores, wharves, warehouses, offices, or places of business, and of the number and actual value thereof, belonging to me, or in my possession or occupation, in the parish of on the day of one thousand eight hundred and sixty .

Enclosure 3 in No. 28.

Jamaica Public Service.

Statement of Reductions and Augmentations actually carried into effect since August 1866 to date.

Reductions.	Amount.			Augmentations.	Amount.		
	£	s.	d.		£	s.	d.
Governor's Secretary	1,200	0	0	His Excellency the Governor's Salary	2,000	0	0
Officers of Legislative Council	1,654	0	0	Governor's Aide-de-camp	200	0	0
Ditto Assembly	3,671	5	0	Colonial Secretariat	2,900	0	0
Executive Committee	3,800	0	0	Financial do.	2,717	10	0
Perpetual Annuity	2,400	0	0	Legislative Council	700	0	0
				Pensions	1,175	12	0
	12,725	5	0	Keeper of Buildings	200	0	0
					9,8923	2	0
Steam Communication with the United States	4,900	0	0				
Customs (Salaries)	175	0	0				
Treasury ditto	300	0	0	Rum Duty Act (Salaries)	1,500	0	0
Coroners (two)	192	0	0				
Magistrates Clerk	96	0	0				
Prison, Montego Bay	240	0	0				
Rector, St. George	41	0	0				
Do. St. David	290	0	0				
Do. St. Dorothy	332	0	0				
Island Curate, Hope Bay	240	0	0				
Ditto Scott's Hall	240	0	0				
Ditto Highgate	290	0	0				
Stipendiary Curate, Aboukir	150	0	0				
Garden in Square	20	0	0				
Printing Laws	50	0	0				
Metcalfe Dispensary *	100	0	0				
Parochial Expenditure	6,600	0	0				
Milk River Bath	324	0	0				
St. Thomas Apostle Bath	144	0	0				
Geological Survey	120	0	0				
Lady Barkly's Institution	200	0	0				
Roads	4,550	0	0				
Clerks to Road Boards (4 at 30*l.*)	120	0	0				
Total	£32,439	5	0	Total	£11,393	2	0

The expense of the Surry Gaol is estimated at 545*l.* per annum; five months of the year have already elapsed, and the gaol cannot be closed until the Governor's assent to the law for abolishing the gaol is proclaimed.

25/2/67. (Signed) Edw. E. Rushworth.

* 50*l.* has already been given as a donation, but no more is to be spent on its behalf from public funds.

(Signed) E. E. R.

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Enc.4 in No.28.

Enclosure 4. in No. 28.

JAMAICA—No. 11. of 1867. Assented to by the Governor 27th March 1867.

A Law for laying a Duty on Imports, Exports, and the Tonnage of Vessels.

Be it enacted by the Governor of Jamaica, with the advice and consent of the Legislative Council thereof, as follows:

Duties on imports under schedule,

First.—On and after the coming into operation of this law there shall be raised, levied, collected, and paid unto Her Majesty, her heirs and successors, for the use of the government of this Island, upon the several articles imported into this Island, and enumerated in the schedule of import duties to this law, the several duties therein set forth.

to be collected by officers of customs.

Second.—The said duties shall be levied, collected, recovered, and received by the officers of the customs, under the regulations and by the means and powers of so much of the Act of the Imperial Parliament passed in the session of the sixteenth and seventeenth years of the reign of Her Majesty Queen Victoria, chapter one hundred and seven, intituled "An Act to amend and consolidate the laws "relating to the customs of the United Kingdom and of the Isle of Man, and certain laws relating "to trade and navigation and the British possessions," or of any subsequent Act of the Imperial Parliament as relates to the British possessions, and the Acts and laws of this Island, passed or to be passed in relation to the customs, and shall be paid by the said officers of the customs in each and every week into the Colonial Bank, or otherwise as the Governor may direct, to the credit of the Receiver General.

£30,000 to be reserved by receiver general.

Third.—The Receiver General shall annually receive [reserve] out of the duties to be collected under the said schedule, and paid to him by the officers of the customs as aforesaid, the sum of thirty thousand pounds, to be appropriated to the liquidation of the public debt, and interest guaranteed by the British Government, which sum is, by the Act of the seventeenth Victoria, chapter twenty-nine, intituled "An Act for the better Government of this Island, and for raising a revenue in support thereof," provided to be appropriated in the manner therein mentioned.

Residue to use of government.

Fourth.—The residue of the duties to be collected under the said schedule shall be paid and applied to the use of the government of this Island.

SCHEDULE OF IMPORT DUTIES.

NAME OF ARTICLE.	DUTY. £	s.	d.
Ale, beer, and porter, per gallon	0	0	6
Asses	Free.		
Bacon, per pound	0	0	2
Barley (not pearl barley), per bushel	0	0	4
Beef, dry, salted, or cured, per pound	0	0	1
Beef, wet, salted, or cured, per barrel of 200 lbs.	0	15	0
Beans, per bushel	0	0	4
Birds	Free.		
Books, printed, including maps	Free.		
Bread or biscuit, per 100 lbs.	0	6	0
Bricks (not Bath bricks)	Free.		
Bullion	Free.		
Butter, per pound	0	0	2
Calavances, per bushel	0	0	4
Candles, composition, per pound	0	0	2
——— tallow, per pound	0	0	0¾
——— wax or spermaceti, per pound	0	0	2
Cattle, neat, per head	0	10	0
Carriages, carts, and waggons, used for agricultural purposes	Free.		
Cheese, per pound	0	0	2
Cider and perry, per gallon	0	0	6
Coals and coke	Free.		
Cocoa, per 100 lbs.	0	10	0
Coffee, British, colonial, per 100 lbs.	1	0	0
Coin	Free.		
Corn, Indian, per bushel	0	0	4
Cotton, wool	Free.		
Diamonds	Free.		
Dogs	Free.		
Dyewoods	Free.		
Drawings, paintings, engravings, lithographs, and photographs	Free		
Fish, dried or salted, per 100 lbs.	0	3	6
—— fresh	Free		
—— smoked, not otherwise enumerated or described, per pound	0	0	0½
—— alewives, pickled, per barrel of 200 lbs.	0	2	6
—— herrings, pickled, per barrel of 200 lbs.	0	2	6
—— herrings, smoked, per pound	0	0	0¼
—— mackerel, pickled, per barrel of 200 lbs.	0	4	6
—— pickled, not otherwise enumerated or described, per barrel of 200 lbs.	0	4	6
—— salmon, smoked, per pound	0	0	2
—— ditto, wet, or salted, per barrel of 200 lbs.	0	10	6
Flax	Free		
Flour, rye, per barrel of 196 lbs.	0	8	0

NAME OF ARTICLE.	DUTY. £ s. d.
Flour, wheat, per barrel of 196 lbs.	0 8 0
Fruit, fresh	Free
Goats	Free
Guano, and other manure	Free
Gunpowder, per pound	0 1 0
Hams, per pound	0 0 2
Hand machines for preparing fibre, or for spinning cotton, or wool	Free
Hay and straw	Free
Hemp	Free
Hides, raw	Free
Horses, mares, and geldings, each	0 10 0
Hydraulic presses, and printing presses	Free
Ice	Free
Iron, galvanized	Free
—— ditto for roofing, doors, and shutters, and every kind of iron roofing, doors, and shutters	Free
Indigo, per pound	0 0 3
Lard, per pound	0 0 $0\frac{3}{4}$
Leeches	Free
Matches, lucifers, and others, per gross of twelve dozen boxes, each box to contain one hundred sticks, and boxes containing any greater or lesser quantity, to be charged in proportion	0 5 0
Malt dust	Free
Marble, in slabs and blocks	Free
Machines, horse power	Free
Meat, fresh	Free
—— salted, or cured, per barrel of 200 lbs.	0 15 0
Meal, not wheat meal, per barrel of 196 lbs.	0 2 0
Mess plate and furniture, band instruments for the use of the army and navy, on the certificate of the military or naval commanding officers	Free
Mills, whether they be for grinding canes, paint, coffee, corn, or grain of any kind, or for sawing boards, raising water, or such as are set in motion by steam, horse, wind, or water power, and all parts of the said mills	Free
Molasses	Free
Mule, each	0 10 0
Oats, per bushel	0 0 4
Oil cakes, whole, or in powder, and other prepared food for cattle and animals	Free
Oil, per gallon	0 0 9
Patent fuel	Free
Pans for boiling sugar, whether of copper or iron	Free
Pease (not being split pease), per bushel	0 0 4
Pipes for conveying fluids	Free
Plants, growing	Free
Ploughs, plough-harrows, harrows, cultivators, clod-crushers, horse-shoes, dibbles, sowing machines, and parts thereof	Free
Pork, salted or cured, per barrel of 200 lbs.	0 15 0
Poultry	Free
Pumps for raising water	Free
Railway truck wheels	Free
Resins and Rosin	Free
Rice, per 100 lbs.	0 3 0
—— undressed, per bushel	0 1 0
Salt, per 100 lbs.	0 1 0
—— rock	Free
Sarsaparilla (but not the extract of)	Free
Sausages, dry or pickled, per pound	0 0 2
Sheep	Free
Shooks, tierce, puncheon, and hogshead, and all descriptions of shooks, also tierces, hogsheads, and casks	Free
Slates	Free
Soap, per 100 lbs.	0 5 6
Soda, ash, or sub-soda	Free
Specimens, illustrative of natural history, mineralogy, and geology	Free
Sprits, brandy, per gallon	0 10 0
——— gin, per gallon	0 10 0
——— rum, the produce of, and imported from British possessions, per gallon	0 10 0
——— whisky, per gallon	0 10 0
Spirits of wine, alcohol, and all other spirits, cordials, or spirituous compounds, per gallon	0 10 0
Stills, or any part of a still	Free
Steam engines, or any part of a steam engine	Free
Sugar, refined, per pound	0 0 2
——— unrefined, per 100 lbs.	0 10 0
Swine	Free

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Name of Article.	Duty. £	s.	d.
Tallow, grease, tallow grease, or grease, and slush	Free		
Tea, per pound	0	1	0
Tiles, marble, and earthen, as well as paving stones	Free		
Tobacco, manufactured, including Cavendish, per pound	0	1	0
——— unmanufactured, per pound	0	0	6
——— cigars, per pound	0	5	0
Tongues, dried, per pound	0	0	2
——— salted, or cured, per barrel of 200lbs.	0	15	0
Tortoise shell	Free		
Tow	Free		
Turtle	Free		
Vegetables, fresh	Free		
Wax, bees	Free		
Wheat, per bushel	0	0	9
Wines, in bulk and in bottle, per gallon	0	2	6
Wood, for every one thousand feet of pitch pine lumber, by superficial measurement of one inch thick	0	13	0
——— for every one thousand feet of white pine lumber, or other lumber, by superficial measurement of one inch thick	0	9	0
——— shingles, cypress, more than twelve inches in length, per thousand	0	6	0
——— Wallaba shingles, per thousand	0	6	0
——— Boston chips, and all shingles not otherwise enumerated, or described, per thousand	0	4	0
——— hoops	Free		
——— staves and heading, red or white oak, or ash	Free		
Wire, iron, for fences, wire fencing, iron standards, and also tomb railings	Free		
On all other goods, wares, merchandise, and effects of every description, not previously enumerated, for every 100*l.* value	12	10	0

And after these rates for any greater or less quantity of such goods respectively.

Fifth.—The following goods shall be exempted from duty:

Exemptions.

Exemptions.

All packages containing goods subject to the ad valorem duty imposed by this law.

Provisions and stores imported for the use of Her Majesty's army or navy, and consigned by bill of lading to the officer at the head of Her Majesty's Commissariat, the military storekeeper, or the naval commanding officer of this island, on the production of the bills of lading and certificate of such officer, that they have been solely imported for the use of the army or navy, as aforesaid.

Provisions, wines, spirits, and malt liquors, imported for the use of the military and naval staff, and regimental and naval messes in this island, consigned by bills of lading to any staff or naval officer, or the president of a regimental or naval mess, on the production of the bills of lading, and certificate of the officer, such certificate being countersigned by the officer, commanding the military or naval forces, as the case may be, that they have been solely imported for the use of such officer, or regimental mess, and on an undertaking that they shall not be sold in the island, without special permission of the collecter of customs, such permission to be given only on payment of the duty.

Provisions and stores imported by the Local Government for the public service, on the certificate of the revenue commissioner.

Articles of naval, military, and civil uniform, for the personal use of the proprietor.

Drawbacks.

Sixth.—The following drawbacks of duty shall be allowed:

Drawbacks.

Goods, wares, and merchandise, upon which ad valorem duty under this law, or any previous Act of this island, shall have been paid, if duly exported within two years of their first importation, a drawback equal to the duty paid on first importation.

On the exportation of the following goods, on which the duty under this law, or any prvevious Act, shall have been paid without such goods having been bonded, if exported within twelve months of the first importation, a drawback equal to the duty so paid.

Flour, bread, or meal, not less than ten barrels of each article.

Lard or butter, not less than ten firkins of each article.

Candles, not less than ten boxes.

Soap, not less than twenty boxes.

Ale, beer, or porter, not less than five hogsheads of each, in bulk, nor less than fifteen barrels of each, if in bottles.

Beef, pork, or pickled fish, not less than ten barrels of each.

Rice, not less than five tierces, or twenty-five bags.

Dried fish, not less than one thousand pounds weight.

Tongues, not less than ten barrels.

Lumber, not less than five thousand feet.

Shingles, not less than five thousand.

On the exportation of bread or biscuit manufactured in this island, the duty paid on the flour consumed in making the same, but not to exceed the duty imposed on bread or biscuit imported.

The several drawbacks under this law shall be subject to the regulations and provisions of the several acts or laws for the time being in force with reference to such drawbacks.

TONNAGE DUTIES.

Tonnage duties.

Seventh—On and after the coming into operation of this law, there shall be paid to Her Majesty, Her heirs, and successors,

On each vessel (not being a drogher, or trading between the Equator and the Tropic of Cancer), two shillings and fourpence on each ton, on entering inwards each voyage.

On each vessel trading between the Equator and the Tropic of Cancer two shillings and twopence on each ton, once in every year, and twopence on each ton, on entering inwards each voyage.

On each drogher, three shillings and fourpence on each ton, once in every year.

And should such drogher trade beyond the island, and between the Equator and the Tropic of Cancer, twopence on each ton, each voyage.

To be collected by officers of customs.

Eighth—The aforesaid duties, imposed on the tonnage of vessels, shall be paid to the collector and controller at the port of Kingston, and the sub-collector at every other port.

Registry to be left with customs on entry of vessel.

Ninth—At the time of making entry of any vessel arriving in this island, the certificate of registry of such vessel shall, by the master thereof, be exhibited to and deposited with the collector and controller at Kingston, and the sub-collector at any other port, until the duties shall be actually paid; and if a fraudulent entry shall be made, or a false certificate of registry be exhibited or deposited, with intent to evade the payment of the said duty, or any part thereof, the master of such vessel shall, for every such offence, incur a penalty not exceeding sixty pounds, nor less than twenty pounds, to be recovered in a summary manner before two justices of the peace, in the parish where the offence shall be committed; and, in default of payment, the said justice shall commit the offender to gaol for any period not exceeding three months, unless he shall sooner pay the penalty.

Tonnage of foreign vessels to be ascertained as on British vessels.

Tenth—Upon the arrival of any foreign vessel in any port of this island, the tonnage of such vessel shall be ascertained by the same mode of admeasurement which is adopted for ascertaining the tonnage of British vessels, and the duty paid accordingly.

Exemptions.

Eleventh—The following vessels shall be exempted from the foregoing tonnage duties:

EXEMPTIONS FROM THE FOREGOING TONNAGE DUTIES.

All steam vessels trading to, or in, or about this island.

All vessels laden only with ice, or with fresh fruit, poultry, fresh fish, or fresh butter.

All vessels laden only with coals.

All vessels which shall neither receive nor discharge cargo, but shall only land or take passengers, and their luggage and stores, or call for orders.

All vessels in distress putting into any of the ports of this island for the purpose of repairs; and such last-mentioned vessel shall not be liable to the stamp duty, on the governor's warrant, for the sale of cargo on board of such vessel, for the purpose of defraying the costs of such repairs.

All vessels arriving in ballast.

Vessels entering with ice, &c. to pay on space of cargo outwards.

Twelfth.—All vessels laden partly with ice, fresh fruit, poultry, fresh fish, or fresh butter, and partly with other goods, wares, and merchandize, and all vessels partly laden with coals, and partly with other goods, wares, and merchandize, shall pay duty only upon the tonnage of the other goods, wares, and merchandize imported in the said vessels, as such tonnage shall be computed by the officers of the customs.

Such vessels may take away fruit, &c.

Thirteenth.—All vessels arriving in this Island laden partly with coals, or with ice, fresh fruit, poultry, fresh fish, or fresh butter, and partly with other goods, wares, and merchandize, which shall have paid duty on such other goods, wares, and merchandize, may take away fruit, vegetables, ground provisions, and preparations thereof, the growth and produce of this Island, without being subject to the other tonnage duties under this law.

Such vessel, or vessels clearing out with woods or bamboo, pay half tonnage dues.

Fourteenth.—Any vessel which shall have entered port free of tonnage duties shall be exempted from one half of the tonnage duties demandable under this law on her clearing out, provided she clears with a cargo of bamboo or woods the produce of this Island, and not more than two tons of general cargo.

Certain vessels entering, or clearing with part cargo, to pay tonnage dues according to space.

Fifteenth.—Except as herein-before provided, whenever any sailing vessel hereby wholly or partly exempted from the payment of tonnage duties on arrival shall thereafter enter or clear outwards with cargo, there shall be paid in respect of the said vessel tonnage duties at the rate of two shillings and fourpence for every ton of measurement or space occupied by the produce, goods, or merchandize of which the outward cargo shall consist.

Vessels importing less than whole cargo to pay tonnage duties on space.

Sixteenth.—Every vessel importing cargo, and entering inwards the same cargo or any part thereof covering less than the tonnage of the vessel according to the register or measurement, shall, in lieu of the duties payable on her whole tonnage, according to register or measurement, pay duties on the amount of tonnage from which cargo shall be actually landed; and such duty shall be calculated as herein-after provided on every registered ton of space of goods or merchandize entered inwards and landed, or to be landed at any of the ports of this Island; provided, that on entering or clearing outwards with cargo there shall be paid for on account of such vessel tonnage duties on every registered ton of space occupied by produce, goods, or merchandize in excess over the amount of registered tons of space on which duties have been paid at the period of entry inwards; provided also that the total amount of duties to be paid shall not exceed the whole tonnage of the vessel as per register or measurement.

Consignee, &c. to give notice of claim.

Seventeenth.—Every consignee, owner, or master of a vessel entering or clearing inwards or outwards respectively, and claiming to pay on the proportion of registered tonnage occupied by goods or merchandize actually landed, or to be landed, as herein-before provided, shall notify such claim in writing to the collector and controller at the port of Kingston, or to the sub-collector at any other

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port, as the case may be, who shall cause the amount of registered tonnage so represented to be ascertained, as herein-after provided.

Payment to collector and controller in Kingston, and sub-collector at other ports.

Eighteenth.—Payment of such duties shall be made to the collector and controller at the port of Kingston, or the sub-collector at any other port respectively where such cargo shall be first entered, or at the final port of clearance whence outward cargo shall be exported.

Such officers to decide the quantity of space.

Nineteenth.—For the purposes of this law, the collector and controller at the port of Kingston, or the sub-collector at any other port, as the case may be, shall decide the space occupied by such goods or merchandize so landed or shipped respectively as the same shall be ascertained by the admeasurer of shipping, or other officer who shall be appointed for that purpose.

Part of revenue.

Twentieth.—The several tonnage duties under this law shall be appropriated and applied as part of the general revenue of this Island.

Exemptions do not apply to droghers or vessels trading within the Tropic of Cancer.

Twenty-first.—Nothing in this law contained whereby any vessels are exempted from the tonnage duties under this law, or such duties are diminished or restricted to the space occupied by goods or merchandize, shall apply to droghers or vessels trading between the Equator and the Tropic of Cancer.

Not to affect Duties for lighthouses.

Twenty-second.—Nothing in this law contained shall lessen or affect the liability of any vessel to the payment of duties under any Acts imposed for or on account of any lighthouse in this Island, or of any vessel entering certain ports of this Island, to the payment of tonnage duties imposed in respect of local marine hospitals under the Acts in relation thereto.

Export duties.

Twenty-third.—In lieu of the duties under the Acts Fifteenth Victoria, chapter thirty-nine, and the Twenty-fourth Victoria, chapter sixteen, there shall be received, levied, and collected by the officers of the customs of this Island, the following duties on exports:

On sugar, at the rate of five shillings and ninepence per hogshead.
On rum, at the rate of four shillings and sixpence per puncheon.
On coffee, at the rate of six shilling per tierce.
On pimento, at the rate of tenpence for every one hundred and twenty pounds weight.
On logwood, and other dyewoods, lignumvitæ, ebony, and cocus wood, at the rate of one shilling for every ton.
On ginger, at the rate of one shilling for every one hundred and twelve pounds.

Statement of quantity, how ascertained.

Twenty-fourth.—For the purposes of this law, three tierces of sugar shall be taken to be equivalent to two hogsheads; eight barrels to one hogshead; other packages in the proportion which they shall bear to the hogshead of seventeen hundred weight; two hogsheads of rum shall be equivalent to one puncheon; every quarter cask or package of rum, not being a puncheon or hogshead, in the proportion the same shall bear to the puncheon of ninety gallons; coffee in packages, other than tierces, in the proportion of seven hundred weight to one tierce.

Export duties applicable under particular laws.

Twenty-fifth.—The said last-mentioned duties shall be appropriated and applied for the purposes to which the duties under the said respective Acts, fifteenth Victoria, chapter thirty-nine, and twenty-fourth Victoria, chapter sixteen, were respectively authorized to be raised, levied, and collected and applied, and the other Acts or laws in relation thereto.

Tonnage duties and export duties to be paid as other customs duties.

Twenty-sixth.—The duties on tonnage, and the export duties under this law, shall be levied, collected, recovered, and received under the like regulations and powers, and subject to the like penalties, and with the like protection, and shall be paid to the Colonial Bank, or otherwise, as the Governor may direct, to the credit of the receiver-general, at the same time and in the same manner as the other duties of customs to be collected under this law.

Repeal of acts.

Twenty-seventh.—The several Acts and sections of Acts next mentioned are hereby repealed from the coming into operation of this law, but such repeal shall not affect any right or duty acquired under such Acts; and notwithstanding the expiry of the Act twenty-eighth Victoria, chapter ten, or repeal of the said Acts, and sections of Acts, any duties thereunder remaining to be collected, and all offences committed against the said Acts or any of them, and any penalty incurred under either of the said Acts may be collected and recovered, punished, or proceeded for, and received or enforced respectively, as if such Acts and sections of Acts respectively had not expired or been repealed:

ACTS AND SECTIONS OF ACTS REPEALED.

Act.	Extent of Repeal.
46th George III., chapter 28.	The whole Act.
15th Victoria, chapter 30.	Sections 13, 14.
17th Victoria, chapter 33.	Sections 27, 28, 29.
20th Victoria, chapter 5.	Sections 9, 12, 13, 17, 23, 24, 25, 26.
24th Victoria, chapter 3.	The whole Act.
24th Victoria, chapter 16.	Sections 15, 16, 17.
26th Victoria, session 2, chapter 22.	The whole Act.
29th Victoria, chapter 13.	The whole Act.
Law No. 7 of 1866	The whole Act.

Commencement of law.

Twenty-eighth.—This law shall come into operation on the first day of April one thousand eight hundred and sixty-seven.

28 Vict. c. 10, ss. 5, 7, 13, 14 continued.

Twenty-ninth.—Until otherwise provided for by law, the fifth, seventh, thirteenth, and fourteenth sections of the twenty-eighth Victoria, chapter ten, shall be continued in force.

Enclosure 5 in No. 28.

No. 18 of 1867.

Assented to by the Governor, 2d April 1867.

A Law imposing Licences upon trades and business.

Be it enacted by the Governor of Jamaica, with the advice and consent of the Legislative Council thereof, as follows:

First.—Every person carrying on a trade or business mentioned in the schedule to this law annexed shall, within 30 days after the passing of this law, and in each succeeding year on the 5th day of April, or, within 14 days thereafter respectively, take out a licence, stamped according to the rate of duty for such trade or business, or the particular class thereof, in the said schedule. Persons carrying on certain trades or business to take out licence annually.

Second.—Every such person shall, at least 10 days before the earliest time by this law fixed for taking out such licence, in each year make out and render to the collector of dues or other authorized officer of revenue of the parish in which such person carries on his trade or business, a return in such form as this law requires, containing a true statement in the several particulars embraced under the different heads in the said form; that is to say, Returns to be made.

1. Every person carrying on a trade or business mentioned in the said schedule, but not divided into classes, shall give in such return in the form to this law annexed marked A.
2. Every person carrying on a trade or business mentioned in the said schedule, and therein divided into distinct classes, shall give in such return in the form to this law annexed marked B.

And every person giving in a return under this law shall subscribe his name to the declaration, to the truth thereof subjoined to the form on which he makes his return: Provided that where two or more persons shall be liable to be charged as in partnership, one return only shall be required, and such return shall be made by them jointly, or by one or more, on behalf of himself or themselves, and the rest of the persons so liable.

Third.—The sum to be filled up in the column headed "Annual Value of Premises" in the form B. shall be the true annual value of the house, store, shop, or other premises in which such trade or business shall be conducted, and shall be the full and just yearly rent at which such premises are really and bonâ fide worth to be let. Annual value to be the full and just yearly rent at which the premises might be let.

Fourth.—If the collector of dues, or other officer as aforesaid, shall be satisfied with the correctness of the return made to him by any person, he shall, on being paid the amount of duty in the said schedule specified for the trade or business, or the class thereof, entered in such return, deliver to the applicant a licence for, and bearing the necessary and proper stamp applicable to the trade or business, or the class thereof, for which the applicant shall have made such return. If collector, &c. satisfied with return, he shall grant licence on payment of duty;

Fifth.—If the collector of dues, or other officer as aforesaid, shall consider that any person, in making such return, has placed himself under a wrong description or class, and amount of duty, such collector of dues, or other officer as aforesaid, shall assess such person according to the description, class, and amount of duty for which he shall consider the applicant to be liable, which assessment shall be subject to an appeal, according to the directions herein-after contained. otherwise he may assess; subject to appeal.

Sixth.—Where any person carrying on a trade or business shall neglect or refuse to make the return as and within the time by this law required, the collector of dues, or other officer as aforesaid, shall assess such person to the trade or business, or the class thereof, to which such person is liable, according to the best of the judgment of such collector of dues, or other officer as aforesaid, and shall add thereto one-fourth part of the duty so assessed, as and by way of surcharge or penalty, which assessment shall be subject to an appeal, according to the directions herein-after contained. In default of return, collector, &c. may assess & add surcharge; subject to appeal.

Seventh.—When the collector of dues, or other officer as aforesaid, shall have made an assessment differing from the return given in, or where no return shall have been given in, such collector of dues, or other officer as aforesaid, shall deliver to the party assessed, either personally, or by leaving it at his place of abode or business, a notice, showing the assessment so by him made, which notice may be in the Form C. to this law annexed, adding the surcharge or penalty, where the assessment is liable thereto; and every such assessment, so made by the collector of dues, or other officer as aforesaid, shall be binding upon the person charged, unless he shall appeal therefrom, as herein-after mentioned. Notice of assessment in such case to be served

Eighth.—Where two or more persons shall be in partnership, the licence shall be taken out in the name of the firm; and it shall not be necessary to take out a separate licence for each partner. In case of partnership.

Ninth.—Where different places of business, stores, shops, or other premises are kept in the name of one person, or firm, a separate licence shall be taken out for each place of business, store, shop, or other premises: Provided, that the opening of another store or place for the reception of goods, and at which no sales are effected, shall not be deemed to come within the meaning of this section. Each place of business chargeable.

Tenth.—All licences under this law shall, for the year one thousand eight hundred and sixty-seven, be for the period from the thirtieth day after the passing of this law to the 5th day of April, one thousand eight hundred and sixty-eight, and thereafter for the whole year, from the 5th day of April in the one year to the 5th day of April in the succeeding year: Provided, that if any person or firm shall commence trade or business, or open any new place of business, store, shop, or other premises (except as aforesaid, or where it is only the change of the place of business in the same town, in which latter case notice thereof shall be given to the collector of dues, or other officer as aforesaid), during the current year, he or they shall pay the duty, or proportion of duty, for so many quarters of a year (the fractional part of a quarter being reckoned as a quarter), as shall remain of the current year. Licences shall be to the 5th April annually.

Eleventh.—Whenever the duties imposed by this law on retailers shall exceed the sum of four pounds, they may be paid by moieties, the first moiety for the year one thousand eight hundred and sixty-seven at the expiration of thirty days from the passing of this law, and the second moiety on the first day of August one thousand eight hundred and sixty-seven, and in each succeeding year on the fifth day of April and the first day of August, or within 10 days thereafter respectively. Licences to retailers to be paid in moieties.

JAMAICA.

How to be recovered.

Twelfth.—When the duty is payable by moieties, the first moiety shall be payable and recoverable under the powers given by or referred to in this law, as and in like manner as the whole duties are hereby made payable and recoverable, and the second moiety shall be recoverable under the like powers, after the expiration of fourteen days from the time when the same becomes payable, and any surcharge shall be payable and recoverable at the same time as the first moiety.

Licences to masters of vessels.

Thirteenth.—Every master, supercargo, or other person on board of any vessel arriving in any of the ports of this island, before he shall sell, or offer for sale any goods whatsoever, shall make a return to the collector of dues, or other officer as aforesaid of the parish, and pay the sum in the schedule to this law annexed, fixed for persons selling goods by retail of the first class, and take out the licence therefor, under a penalty, in case of default, not exceeding ten pounds, in addition to the duty under this law; and every such master, supercargo, or other person shall produce such licence to the collector of customs in Kingston, or the sub-collector at any other port, prior to entry inwards of such goods for consumption in this island.

Fourteenth.—Every person carrying on or conducting any newspaper in this island, shall, in addition to paying the duty and taking out the licence by this law required, give in at the time of paying such duty, and taking out such licence as aforesaid, to the collector of dues, or other officer as aforesaid of the parish in which such newspaper is published, the title of such newspaper, the place at which the same is published, and the name and residence, or names and residences of the person or persons who is, or are the proprietor or proprietors of such newspaper; and shall, in case of any change in the proprietorship, place of publication, or title of the newspaper, immediately thereupon give in to the collector of dues, or other officer as aforesaid, the particulars of any alteration which shall occur in respect of any of the matter aforesaid; and the name and residence of each proprietor, and the place where the newspaper is published, together with the date of publication, shall be printed at the foot or end of each such newspaper, under a penalty, in respect of each default or neglect of the provisions herein contained, not exceeding three pounds, nor less than one pound.

£25 or £15 licence gives certain privileges.

Fifteenth.—Every person paying the duty of twenty-five pounds, or fifteen pounds under this law, and taking out a licence accordingly, may carry on, on the same premises, all or any the trades or businesses for which such licence may be granted, and may also, on the same premises, retail his own goods.

Licences to retail spirits allow of sale of wines, &c. without licence under this law.

Sixteenth.—Every person taking out a licence to retail spirits, or as a tavern keeper, under the law imposing licences on spirits, may sell on the same premises wine, malt liquors, and all other description of distilled or fermented liquors, without being required to take out a licence under this law.

Licences to be taken out where trade, &c. commenced after the year began.

Seventeenth.—Every person commencing business, or opening a new place of business, store, shop, or other premises, (except as aforesaid,) shall within fourteen days thereafter make a like return to the collector of dues or other officer as aforesaid as is herein-before required to be made at the commencement of the current year, and shall pay the proportion rightly payable for the licence under this law, and shall obtain such licence stamped with such proportion of duty.

In default, collector, &c. may assess.

Eighteenth.—In every case where no such return as last mentioned shall be made, or the collector of dues or other officer as aforesaid shall be dissatisfied with the return so made, he shall assess the person so commencing business, or opening a new place of business, store, shop, or other premises as aforesaid, according to the best of his judgment; and every such assessment shall be subject to an appeal, according to the directions in this law contained.

Municipal board of appeal.

Nineteenth.—The municipal board of each parish shall be the board of appeal for such parish under this law, and they shall sit for such purpose at such times as they shall fix, giving previous notice in the "Jamaica Gazette, by authority," of the time and place of sitting for hearing appeals under this law.

Clerk of municipal board clerk of the board of appeal.

Twentieth.—The clerk of such municipal board shall act as the clerk of the board of appeal of the parish, and shall enter the decisions of the board in a book to be by him kept for that purpose; and all proceedings and decisions made in relation to such appeals shall be left with and kept by him.

Who may appeal, and when.

Twenty-first.—Any person dissatisfied with the assessment of the collector of dues or other officer as aforesaid may appeal therefrom to the board of appeal for the parish in which he carries on the trade or business, giving notice, within fourteen days after receiving notice of the assessment, to the collector of dues or other officer as aforesaid of his intention to appeal.

Board of appeal may examine upon oath, and adjourn.

Twenty-second.—The board of appeal shall have power and authority, on the hearing of such appeals, to examine the parties and their witnesses upon oath; and every such board of appeal shall have power to adjourn from time to time, as they may see occasion.

Decision of board of appeal, how to affect assessment; and final.

Twenty-third.—If upon the hearing of such appeal the board of appeal shall be satisfied with the assessment made by the collector of dues or other officer as aforesaid, or shall be of opinion that the assessment should be diminished or increased, the said board of appeal shall confirm or alter the assessment, and they may, if they think fit, allow, add to, or strike off the surcharge of one fourth thereof, and give their judgment accordingly, which judgment of the said board of appeal shall be final and conclusive.

False evidence perjury.

Twenty-fourth.—If any person upon any examination upon oath or affirmation, or in any affidavit, declaration, deposition, or affirmation under this law shall wilfully and corruptly give false evidence, or shall wilfully or corruptly swear to any matter or thing which shall be false or untrue, every such person so offending shall, on conviction, be subject and liable to such pains and penalties as by the laws in force persons convicted of wilful and corrupt perjury are subject and liable to.

In case of nonpayment of duty, distress.

Twenty-fifth.—If the several sums by this law charged for licences shall not be paid, and the licences taken out within fourteen days after the return made by any applicant, where no notice of alteration of the assessment shall have been served, or within fourteen days after notice of any assessment made by he collector of dues or other officer as aforesaid, and not appealed from, or within ten days after the determination of such appeal, it shall be lawful for the collector of dues or other officer as aforesaid, without the necessity for any other authority than the direction under this law, to distrain for the amount of the assessment and surcharge, where surcharge shall have been added and not struck off on appeal, and the costs of the distress, on the goods and chattels of the party liable wherever found, and

also upon all goods and chattels found in the place where the trade or business shall be carried on, on which a landlord might distrain for rent in arrear.

How distresses to be proceeded with.

Twenty-sixth.—All distresses under this law may be made upon such property, and shall be kept for such time, and shall be conducted, sold, and disposed of as other distresses for duties under the "Licence and Registration Duties' Act, 1865," and the "Tax Collection Act, 1864," or any other law or laws which for the time being may be in force in relation to such last-mentioned duties; and all clauses in such laws for the protection of the person distraining, or which authorize the granting of relief to poor and indigent persons, shall be applicable and applied in respect to the persons acting under this law, and the duties hereby imposed.

Other remedies for duties.

Twenty-seventh.—Notwithstanding the remedy given by this law the collector of dues or other officer as aforesaid may proceed for the recovery of any amount claimed, and the surcharge, before the ordinary tribunals and by the ordinary proceedings; and such proceedings may be brought in the name of such collector of dues or other officer as aforesaid, who shall describe himself by his name and office; and such proceedings shall not abate by the death of the collector of dues or other officer as aforesaid, but may be carried on and enforced by and in the name of the successor of such collector of dues or other officer.

Register of licences to be kept.

Twenty-eighth.—The collector of dues or other officer as aforesaid of each parish shall keep a register of all licences under this law granted in his parish, in such form and manner as the Governor shall from time to time direct; and such register shall be exhibited in the office of such collector of dues or other officer as aforesaid, and be open to all persons desirous to inspect the same.

Penalties how recoverable.

Twenty-ninth.—All penalties under this law shall be recovered in a summary manner before any two justices of the parish where the offender resides or the offence was committed, and may be enforced by distress and sale of the goods of the offender; and, in default of goods, by imprisonment not exceeding thirty days, unless the same shall be sooner paid.

Schedule part of law.

Thirtieth.—The schedule to this law shall be incorporated with and deemed part of this law.

SCHEDULE referred to in the foregoing Law.

	£	s.	d.
Licence to carry on the business of a merchant, general factor, or wholesale dealer -	25	0	0
Licence to carry on the business of a storekeeper, commission agent, auctioneer, if the auctioneer carries on business in the city and parish of Kingston, pawnbroker, or general dealer - - - - - - - - -	15	0	0
Licence to carry on the business of an auctioneer in any other parish of this island -	5	0	0
Licence to the occupier of any store, shop, room, or yard, in which there shall be sold or exposed for sale by retail any goods, wares, merchandize, or provisions, exclusive of spirits, for which a special duty is charged by law—			
In classes as follow:—			
Class 1. If the premises in which the same shall be carried on are of the annual value of twenty pounds and upwards - - - - - -	10	0	0
Class 2. If the premises in which the same shall be carried on are under the annual value of twenty pounds and of or above the annual value of ten pounds -	5	0	0
Class 3. If the premises in which the same shall be carried on are under the annual value of ten pounds—			
If in the city and parish of Kingston - - - - -	2	0	0
If in any other parish of this island - - - - -	1	0	0
Licence to carry on the business of a wharfinger - - - -	5	0	0
Licence to a master or supercargo of a vessel, or other person on board having goods for sale, and selling them - - - - - - -	10	0	0
Licence to the proprietor of a newspaper - - - - -	3	0	0

FORM A.

APPLICATION for Licence under Law No. of 1867.

Parish of

Name of Party.	Trade or Business.	Place where Business carried on	
		Town.	Street and Number.

I, declare that the above return is just and true; and I apply for a licence in terms thereof.

Dated the day of 186 .

Signature.

To

Collector of Dues.
(Or, as the case may be.)

Jamaica.

Form B.

Application for Licence under Law No. of 1867.

Parish of .

Name of Party.	Trade or Business.	Class.	Place where Business carried on.		Annual Value of Premises.
			Town.	Street and No.	

I, declare that the above return is in all respects just and true; and I apply for a licence in terms hereof.

Dated the day of 186 .

Signature.

To

Collector of Dues.
(Or, as the case may be.)

Form C.

Notice of Assessment under Law No. of 1867.

Parish of .

Name of Party.	Trade or Business.	Class.	Place where Business carried on.		Duty to be paid.
			Town.	Street and No.	
			Surcharge for not giving in	£	

Sir,

You will take notice, That you are hereby assessed in the particulars, and to the duty or sum of inclusive of one-fourth additional, by way of surcharge, for not giving in under the law No. of 1867; and you are hereby required forthwith to pay the said sum of and take out a licence agreeably to the above statement.

Dated this day of 186 .

Collector of Dues.
(Or, as the case may be.)

To

Encl. 6 in No 28.

Enclosure 6 in No. 28.

Jamaica—No. 21 of 1867.

Assented to by the Governor, 23d April 1867.

A Law for granting to Her Majesty certain Sums of Money, required for defraying certain expenses of the Civil Government, and certain other expenses connected with the Public Service for the Financial Year One thousand eight hundred and sixty-six—sixty-seven.

Preamble.

Whereas of the amount of three hundred and eighty-two thousand five hundred and thirty pounds four shillings and twopence, required for the service of the civil government of the island, and for other purposes, for the year one thousand eight hundred and sixty-six—sixty-seven, the sum of three hundred and twelve thousand five hundred and forty-three pounds five shillings and eightpence only has been provided for by law, and it is now requisite to make a further provision of sixty-nine thousand nine hundred and eighty-six pounds eighteen shillings and sixpence, to meet the said expenditure. It is enacted by the Governor of Jamaica, with the advice and consent of the Legislative Council thereof, as follows:

JAMAICA.

Receiver-general, on warrant of the Governor, to pay £69,986 18s. 6d. for charges and expenses of the Civil government, 1866–67.

The receiver general shall, on the warrant of the Governor, pay a sum not exceeding in the aggregate, sixty-nine thousand nine hundred and eighty-six pounds eighteen shillings and sixpence, for defraying the several charges and expenses of the civil government of this island, and other purposes, for the financial year one thousand eight hundred and sixty-six—sixty-seven, set forth in the schedule to this law.

SCHEDULE of Appropriation Act.

	£	s.	d.
Establishments	48,682	2	11
SERVICES exclusive of Establishments.			
Pensions, &c.	2,901	12	0
Revenue services	116	16	9
Administration of justice	837	5	5
Ecclesiastical	173	18	6
Police	5,022	0	0
Education	3,000	0	0
Rents	391	0	4
Transport	175	0	0
Works and buildings	4,810	0	0
Geological survey	180	0	0
Quarantine service	500	0	0
Contribution towards military expenditure	736	10	0
Miscellaneous	2,460	12	7
	£69,986	18	6

No 852.
Circular.

Encl.7 in No.28.

Enclosure 7 in No. 28.

The Honourable the Financial Secretary to the Collectors of Dues.

SIR, Financial Secretary's Office, 16th April 1867.

IN transmitting for your information and guidance a copy of the Law No. 10 of 1867, for registering all lands, &c., as well as printed copies of a notice informing the public that ingivings under this law must be made to you on the 30th instant, or within 14 days thereafter, I have to direct you to cause these notices to be posted in sufficient number throughout your parish as soon as practicable.

You will perceive that it is of essential importance that no time should be lost in so doing.

You will receive in the course of a few days detailed instructions for your guidance in the collection of the taxes imposed by this law. In the meantime you can proceed in getting the notices posted, in selecting your assistants, and in the other preparations necessary.

As it is very desirable that the registration of both land and houses under this new law should be as perfect as possible, His Excellency sanctions your obtaining temporary assistance, to pay for which an allowance not exceeding 40s. will be made to you for every hundred persons who shall be served with the special notice for payment of house tax or land tax, which it will be found necessary to serve, and who shall thereupon pay the taxes on their houses or land without further process.

You are especially enjoined to be extremely careful in the selection of your assistants, as for their conduct you will be held personally responsible.

It is of the greatest importance that no man should be employed in the collection of the new house tax who is not a person in whose temper, prudence, and intelligence confidence may be placed; and any disagreeable occurrences arising during the collection of these new taxes will be considered as sufficient proof that the collector of dues is not qualified for his duties.

You are also requested to inform me without delay what number respectively of the Forms A and B attached to this Act you are likely to require.

I am, &c.
(Signed) EDW. E. RUSHWORTH.

Circular.

Enclosure 8 in No. 28.

Encl.8 in No.28.

SIR, Financial Secretary's Office, April 1867.

IN continuation of my letter, No. 852, dated the 16th instant, I am now to communicate to you orders in detail respecting the manner in which it is the desire of the Governor that you should collect the taxes in your district, under the "Licence and Registration Duties Act, 1865," 28 Vict. cap. 28., and Law No. 10 of 1867.

In regard to the old taxes which the people have been accustomed to pay no more is necessary than to caution you as to the spirit in which these taxes should be levied.

It is the desire of the Government that these taxes should be levied in such a manner, that without losing any part of what is due to the public revenue, the taxpayers may be put to as little inconvenience and unnecessary expense as possible, a consideration which it has been discovered has not always been duly attended to by collectors of dues in some parts of this island.

JAMAICA.

In certain parishes the issue of notices, as prescribed by 27 Vict. cap. 31., or of any other demand or intimation that the tax had become payable, has been entirely omitted in the case of the poorer classes of taxpayers; in consequence of which, in many hundreds of cases in a single parish the first intimation the taxpayer has received has been a summons from the justices to appear and answer a claim which he never had the least intention of contesting; whereby, notwithstanding an immediate tender of payment of his tax, he has been made to pay to the officer of the court costs in many cases more than thirty times the amount of his tax.

By this practice the revenue has gained nothing, whilst the taxpayer has been impoverished, and just discontent has been excited.

That this oppressive procedure is quite unnecessary is shown by the practice of other parishes (and it is hoped of the majority of parishes), where it has been ascertained that the issue of a notice is never omitted, and where in consequence the necessity of resorting to legal process is rare.

I am to instruct you never to omit the issue of the notice prescribed by 27 Vict. cap. 31. as the preliminary to further proceedings in the case of a taxpayer who has not paid his tax. If such a notice fails to produce payment in due time, you should proceed either by distress under 27 Vict. c. 31., or by summons under 28 Vict. cap. 28., according as the one or the other process will be in your judgment least harassing and costly to the taxpayer.

You will distinctly understand, that whilst you are expected to make your collections in a fair and considerate spirit towards the taxpayers, and more especially towards the poorer and more ignorant classes of taxpayers, this obligation will not be allowed as an excuse for any negligence in making your collections.

The objectionable proceedings which have come to light have not arisen from over zeal in protecting the revenue; they have been the result of a slothful habit of collection, and of the absence of method, and of systematic attention to the business of the office.

Your qualifications as a collector of public dues, on which your prospects in the public service will depend, will be judged by your success in collecting the dues to a fair extent without harassing the taxpayers, or causing discontent. This result is obtainable by industry, discretion, and method.

In the actual collection of the new tax on houses under the annual value of 12*l.* you will also follow the above instructions, bearing in mind that as the taxpayer in this case is not accustomed to such a tax even more is due to him than in the case of an old tax, in the way of explanation, information, and kindly advice, before resorting to legal process.

Generally in regard to this house tax, I am to inform you, that it is earnestly desired that you should take every opportunity of quietly explaining to those householders, who now for the first time are liable to it, the overwhelming financial necessity which has obliged the present Legislature to call upon every class of people to make good the enormous deficit which existed when the finances of colony were handed over to them.

This deficit had been allowed to go on unchecked for several years back, and unless supplied by new taxation now, a financial convulsion, ruinous to all classes, was certain.

It will be one of your duties, in the execution of which the Governor relies on your good feeling and discretion, to explain the necessities of the case, and to show that all classes, the large landed proprietors and the commercial community, as well as those on whom this extended house tax will fall, have been called upon to bear their fair share of the burden.

You are also requested to make it as generally known as possible that the whole of the receipts from this house tax, upon houses above as well as upon houses below the annual value of 12*l.*, is intended to form a parish poor rate, and will be expended in support of the poor. Should the paupers of any parish require less than the yield of this tax in that parish the rate of house tax in that parish will be reduced.

I am, Sir,
Your obedient servant,

Esquire,
Collector of Dues,

Enc. 9 in No. 2.

Enclosure 9 in No. 28.

The Honourable the Financial Secretary to the Custodes.

No. 946.

Circular confidential.

Financial Secretary's Office,
30th April 1867.

SIR,

I AM directed by the Governor to request your attention to that part of law No. 10 of 1867 which extends the tax on houses to houses under the annual value of 12*l.* not being the dwellings of labourers living on any estate or pen.

2. These houses have been heretofore exempted from house tax, not, it is presumed, from any notion that the occupants of such houses are not like other people fairly chargeable with their due proportion of taxation, but on the ground that the collection of the tax upon this class of houses would be difficult and comparatively expensive.

3. Under an improved system of collecting the direct taxes which it is intended to introduce this ground of objection will be removed.

4. On the other hand the gross amount of the tax will be a notable item of revenue, and the burden will fall mainly on a class of people who are, generally speaking, in good circumstances, the aggregate amount of whose wealth is considerable, and who are not otherwise obliged to pay any direct tax whatsoever.

5. But it may be expected that unless the existing state of things which has rendered necessary the imposition of new taxes upon all classes of the community is properly explained to those on whom this particular tax will fall some discontent may be felt.

6. The necessity for largely increased taxation may be briefly shown to any person of ordinary capacity, however unused to fiscal problems, by stating to him the fact, that for several years past the ordinary and current expenses of the colony have always very largely exceeded the gross revenues from all sources; and that this deficit had become so enormous in the year ending on the 30th of September 1866, that notwithstanding the constant receipt for many years back of very large loans, whereby the debt of the colony had grown to an excessive amount, the cash balance at one time since the Governor's arrival was reduced literally to nothing from 40,313*l.* 1*s.* 7*d.* at which it stood about a year before.

7. It may be further explained that in the financial crisis to which the present Government succeeded all classes have been called upon to contribute their share as well as the cottier class on whom mainly the particular tax now in question will fall; in proof of which fact the additional land tax of a penny an acre, and the licence tax whereby the landed gentry and the commercial classes are both made to contribute their shares, may be instanced.

8. And every tax paying class may be honestly assured that since the Governor's arrival in Jamaica he has omitted no exertion to reduce expenditure, wherever and as soon as it could lawfully and without public injury be reduced, in order that the new taxes which it was foreseen would be unavoidable might be made as light as possible.

9. But, probably the consideration which is most likely to satisfy the class of small householders in question, is this, that it is the intention of the Government to devote the whole of the receipts from the house tax, from every description of house both above and below the annual value of 12*l.*, to the support of the poor.

10. The tax will be a parochial poor-rate though levied for the sake of economy and convenience by Government officers, and all that is raised on account of it in each parish will be spent on the poor of that parish, so that when the poor require less in any parish the rate of the tax will be reduced in that same parish.

11. The Governor earnestly begs for your assistance in making, quietly and as occasion may serve, these considerations comprehensible to those classes in your parish who will be affected by this new tax.

I have, &c.
(Signed) EDW. E. RUSWORTH.

No. 29.

Copy of a DESPATCH from Governor Sir J. PETER GRANT, K.C.B., to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 92.) King's House, May 9, 1867.
(Received May 27, 1867.)

MY LORD DUKE, (Answered, No. 64, June 29, 1867, p. 111.)

I HAVE the honour to transmit to your Grace an authenticated copy of a law* passed by the Governor of Jamaica, with the advice and consent of the Legislative Council thereof, intituled No. 18 of 1867, "A law imposing licences upon trades and "business," together with a copy of the Attorney-General's opinion on it.

* Law 18 of 1867. This law will be found printed as Enclosure 5. in No. 28, page 77.

2. I have the honour at the same time to acknowledge the receipt of your Grace's Despatch No. 21,* of the 15th of April, enclosing copy of a memorial from the directors of the "Jamaica Commercial Agency Company, Limited," representing that the effect of the licence proposed in this law, as originally introduced into the Legislative Council, would be injurious to their undertaking.

* Page 107.

3. I enclose a memorandum by the Financial Secretary, showing the mode in which this Bill was dealt with in passing through its several stages in the Legislative Council, from which your Grace will perceive that the measure has been very fully and carefully considered. The Select Committee to which it was referred included two of the non-official members whose experience and knowledge of the particulars of the trade of the Island render them well qualified to advise on a measure of this nature.

4. Full opportunity was allowed to those liable to be affected by the operation of the law to express any objections to it.

5. The result of the deliberations of the Council has been to modify very considerably the measure originally introduced, and to make a large reduction both in the number and amount of the licence duties, which, although in successful operation in more prosperous Colonies, were found on examination not to be applicable to the circumstances of trade and business in Jamaica.

6. In my Despatch No. 90,† of this day's date, reporting on the estimates for the current year, I have explained to your Grace the grounds on which recourse has been had to this form of taxation to supply a portion of the deficiency of the Colonial revenue. I believe that in the form in which I have now the honour to submit the law for Her Majesty's allowance, it will not be found to operate oppressively upon any class of traders in the Island, while I have every reason to believe that it will bring a considerable addition of revenue to the Colonial Treasury.

† Page 58.

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7. With regard to the memorial of the Commercial Agency Company, Mr. Rushworth's memorandum shows the manner and degree in which they will be affected by the law. The licence duty of 100*l.* on joint stock companies, to which objection is made in the memorial, has been abandoned, and although the company may become liable to the payment of licence duties as carrying on the business of a merchant, or as storekeepers, or as occupiers of shops or stores, I do not think that the moderate duties imposed by the law can have any material effect upon the operations of the company.

I have, &c.

His Grace the Duke of Buckingham and Chandos, &c. &c. &c.

(Signed) J. P. GRANT.

Encl. in No. 29.

Enclosure in No. 29.

ATTORNEY-GENERAL'S REPORT on LAW No. 18, of 1867.

TAXES upon trades have been discontinued here for several years, and were always when in operation raised by parochial authority, and only for parish purposes. The monies to arise from the present law will be paid into the Island Treasury for general public purposes.

The power of assessment in cases of insufficient, unsatisfactory, or no return by the trader is subject to an appeal to the municipal board of the parish in which the trader carries on his business, and the appointments to these boards are all made by the Governor.

The licences are to be given annually and for the year, but may be paid by moieties.

The enforcement of payment when the amounts are duly and finally ascertained may be either by suit or distress.

Section 14 requires (for the first time in Jamaica) the return of the name, &c. of the conductor of every newspaper,—not before it was wanted.

(Signed) ALEXANDER HESLOP,
Attorney-General.

May 6, 1867.

MEMORANDUM on the Secretary of State's Despatch No. 21, of the 15th April 1867, enclosing memorial of the "Jamaica Commercial Agency Company," respecting the Bill to impose licences on professions, trades, and occupations.

The entire character of the Bill for imposing licences on professions, trades and occupations, as referred to by the memorialists, was altered before the measure passed into law in its final shape as "Law No. 18, of 1867."

In moving in Council the second reading of the Bill, I remarked that it was not to be imagined that the introduction of this system of taxation would be unattended with both objection and difficulty.

I further observed that, indeed, in the preliminary adjustment of the details of a measure of this character, the Government were placed at much disadvantage, as the machinery, to put it fairly into operation, did not exist here, and machinery created on the spur of the moment, could hardly fail to be somewhat imperfect. In those Colonies where the system of raising no inconsiderable portion of revenue from licences on trades and occupations, has been in practice for many years, the locative value of all buildings and premises occupied by parties engaged in their different callings has long been established, and their values regularly recorded in proper rate-books, and that valuation forms the basis on which the amount of the licence is determined.

A further disadvantage the Government has to encounter in the introduction here of a measure of this character, is its very novelty to the community, and this system of licences, I am free to admit, partakes more of a foreign than a British origin, although indeed it is partially in force in England in certain occupations, as also in the sale of certain dutiable articles; yet as a general measure among the British Colonial possessions it may be said to be confined to those of our Colonies which were formerly subject to France and Holland.

The system, although foreign, it may be said, in its nature, is by no means unfair or unsound, either in principle or practice, and in those Colonies in which it is in force, it has not been found to be fraught with all those evils with which the present measure, it has been predicted, will be accompanied.

At the same time, while the Government were prepared to uphold the measure, there was not on their part the slightest wish or intention to prevent the measure being fully and fairly sifted in all its details, and there would be no reluctance whatever, if found necessary, to alter not only the proposed mode of assessing the licences, but also the amounts set down in the schedule for the licence itself; and should on further inquiry it be found that it would be better to abandon the proposition for taking the weekly sales for the guide for determining the rate of the licence, and in its stead to substitute the rental paid for the premises in which the business is carried on, there would be no objection offered to that course, nor would there be any objection to having the whole scale throughout revised, should it be found that the rates proposed are too excessive; and in the several interviews which I had had with parties engaged in mercantile and trading pursuits, I found the objections principally taken to the amounts proposed for the licences, and not to the principles of the measure itself; and a very general admission has been made that the licence for the first-class retail business reduced from 50*l.* to 10*l.* would not be either burdensome or oppressive to the trading community generally.

All that is decided by the Government in the adoption of this system of trade licences is to carry out in an equitable manner a measure fair and just in itself, and there is no wish whatever to impose any tax of either a vexatious or burdensome character; indeed such an attempt would defeat the very object had in view, for an oppressive tax carries within itself the germ of its own destruction, and the aim of the Government is the creation of another permanent and not unimportant item of revenue.

I may observe that after the above remarks at the Board, the motion for the second reading of the Bill was seconded by the Honble. Mr. M'Dowell, the only member of the Board solely engaged in mercantile and commercial pursuits.

The Select Committee of the Council on this Bill (composed of Mr. Moncrieffe, a large landed proprietor and a retired puisne judge, Mr. M'Dowell, and myself) were engaged for several days in the consideration of the several petitions presented to the Board against the measure, in hearing the objections and observations of parties engaged in trade, and in taking evidence from all grades in the commercial community. After a full consideration of the measure itself, and of all we heard and read in connexion with it, we made, first, great modifications in the Bill, and secondly, great alterations in the rates for the different classes of licences.

In order to avoid all approach to the principles of an income tax, with its necessarily vexatious requirement, all professions were exempted from its operation, and the measure was restricted closely to the principle of a licence law.

The intention as set forth in the Bill as originally introduced, of taking the weekly sales as the guide for determining the rate of the licence, was abandoned, and the three classes into which those engaged in the retail trade are divided, are based on the rental value of the premises, or portion of the premises, in which the business is carried on.

I annex a schedule of the licences as proposed in the first Bill, and also a schedule of the licences in the law as it now stands, and I think that a reference to the schedule as proposed by the Select Committee, and afterwards adopted by the full Board, will clearly show that all objections as to excessive rates have been most fairly met and disposed of.

The following extract from the minutes of the Council will show that perfect unanimity prevailed in the Select Committee on the Bill, and their views were concurred in by the Board without a dissentient voice:—

"The Select Committee of the Council to whom was referred the Bill for imposing licences on "professions, trades, and occupations,

"Report

"That they have carefully considered the several clauses in this Bill and the different petitions "presented to the Legislative Council in reference thereto; that they have modified and altered the "rates in the schedule, and made other amendments to the said Bill, all which they now submit to the "consideration of the Legislative Council.

(Signed) "Edw. E. Rushworth.
"Peter Moncrieffe.
"Jas. H. M'Dowell.

"March 19, 1867."

As I understand the object of the Jamaica Commercial Agency Company, Limited, it is the advance of money to the small planters, and the establishing depôts whereat British goods and manufactures may be sold. So far as advances of monies are concerned the present law does not affect them; the keeping of depôts and selling goods would, if they are wholesale vendors, bring them under the highest class of licence, 25*l.*; if retailers, then they would be assessed according to the rental of the premises, or such portion of the premises, as may be set apart for their business operations. The licences to retailers are divided into the following three classes:—

Class 1. If the premises in which the same shall be carried on are of the annual value of twenty pounds and upwards, 10*l.*

Class 2. If the premises in which the same shall be carried on are under the annual value of twenty pounds, and of or above the annual value of ten pounds, 5*l.*

Class 3. If the premises in which the same shall be carried on are under the annual value of ten pounds—

If in the city and parish of Kingston, 2*l.*

If in any other parish of this Island, 1*l.*

(Signed) EDWARD E. RUSHWORTH.

May 8, 1867.

Enclosure 2 in No. 29.

Encl. 2 in No. 29.

Licences imposed by the Act passed.

	£
Licence to carry on the business of a merchant, general factor, or wholesale dealer -	25
Licence to carry on the business of a storekeeper, commission agent, auctioneer, if the auctioneer carries on business in the city and parish of Kingston, pawnbroker, or general dealer - - - - - - - -	15
Licence to carry on the business of an auctioneer in any other parish of this Island -	5
Licence to the occupier of any store, shop, room, or yard in which there shall be sold, or exposed for sale, by retail, any goods, wares, merchandise, or provisions, exclusive of spirits, for which a special duty is charged by law—	
In classes as follow—	
Class 1. If the premises in which the same shall be carried on are of the annual value of twenty pounds and upwards - - - - -	10
Class 2. If the premises in which the same shall be carried on are under the annual value of twenty pounds, and of or above the annual value of ten pounds - - - - - - -	5
Class 3. If the premises in which the same shall be carried on are under the annual value of ten pounds—	
If in the city and parish of Kingston - - - - -	2
If in any other parish of this Island - - - - -	1

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	£
Licence to carry on the business of a wharfinger	5
Licence to a master or supercargo of a vessel or other person on board, having goods for sale and selling them	10
Licence to the proprietor of a newspaper	3

Licences proposed by the Bill, as first introduced.

Licence to carry on the business of a company or society, the yearly profits of which yield five per cent. upon the paid-up capital (one hundred pounds)	100
Licence to carry on the business of a merchant or general factor (fifty pounds)	50
Licence to carry on the business of a wholesale dealer (fifty pounds)	50
Licence to carry on in any store, warehouse, or shop any retail business, the average weekly sales of which amount to sixty pounds and upwards (fifty pounds)	50
Licence to carry on any retail business as above, the average weekly sales of which amount to forty pounds and under sixty pounds (thirty pounds)	30
Ditto ditto where the average weekly sales amount to twenty and under forty pounds (ten pounds)	10
Ditto ditto where the average weekly sales amount to ten pounds and under twenty pounds (five pounds)	5
Ditto ditto where the average weekly sales are below ten pounds (twenty shillings)	1
Licence to carry on the business of an auctioneer throughout the Island (ten pounds)	10
Licence to carry on the business of an auctioneer in the rural districts (five pounds)	5
Licence to keep an hotel or tavern in any town (ten pounds)	10
Ditto ditto in the rural districts (five pounds)	5
Ditto ditto a restaurant or café (five pounds)	5
Licence to carry on the business of either a pawnbroker or bill discounter (fifty pounds)	50
Licence to keep a public billiard table (five pounds)	5
Licence to keep and use any machinery propelled by steam power for scarving timber, extracting oils, or grinding grain (ten pounds)	10
Licence to publish and circulate a daily, semi-weekly, or weekly newspaper (five pounds)	5
Licence to carry on a general printing business (five pounds)	5
Licence to carry on the business of a founder, coppersmith, or general builder (ten pounds)	10
License to carry on the business of a sugar refiner in any town (ten pounds)	10
License to practise as a legally qualified attorney-at-law, proctor, or conveyancer (ten pounds)	10
Licence to practise as a duly qualified physician or surgeon in any town (five pounds)	5
Ditto ditto in rural districts (two pounds)	2
Licence to carry on the business of a veterinarian (two pounds)	2
Licence to carry on the business of a land surveyor (three pounds)	3
Licence to carry on the business of a livery stable keeper, or to let horses for hire (ten pounds)	10

Despatches from the Secretary of State.

No. 1. No. 1.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to Governor Sir H. K. STORKS, G.C.B.

(No. 154.)

SIR, Downing Street, May 23, 1866.

I HAVE had under my consideration the Act of the Legislature of Jamaica, 29 Vic. cap. 18, "for making more effectual provision for the survey of disputed lands," a copy of which was transmitted to me with your Despatch No. 75,* of the 24th of March. * Page 1.

The Attorney-General of Jamaica, in reporting on this Act, appears to have anticipated that it would form the subject of some observations from you, and refers also to some reports of his own which cannot be discovered in this office.

Having regard to this intimation, and to the circumstance that attempts at surveying seem lately to have led to excitement among the negroes, I think it best not to submit the Act for Her Majesty's confirmation without requesting an expression of your opinion upon it.

I have, &c.

Governor Sir H. K. Storks, G.C.B. (Signed) EDWARD CARDWELL.
&c. &c. &c.

No. 2. No. 2.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 13.)

SIR, Downing Street, July 16, 1866.

AMONGST the first duties which will await you on your arrival in Jamaica will be that of reconstituting the administrative system in conformity with the form of Government now to be brought into operation.

The functions and responsibilities of the Government, heretofore kept within very narrow bounds by the predominating power of the Assembly, will now be subject to little or no technical or legal limitation, except such as the authority of Her Majesty's Government may prescribe, such authority being exercised of course under a sense of our own responsibility to the Crown and to Parliament.

These new and large powers will be devolved upon you at a very critical conjuncture, when recent events must occasion great difficulty in restoring concord and mutual confidence between the different classes of the population, and when by common consent a necessity is recognized that the laws, the administration of justice, the finances, the public expenditure, the parochial system, and the institutions of the Colony at large should be revised, and, in many respects, reorganized.

The office you will fill, therefore, is a totally different office from that filled by any previous Governor of Jamaica.

You have been selected for it, no doubt, on the ground of the very high qualifications for performing its duties which you had evinced whilst filling one of the highest and most important administrative offices in Her Majesty's Indian possessions; and, looking to the arduous and critical nature of the charge to be committed to you in Jamaica, and to the amount of the emoluments which you had been accustomed to enjoy as Lieutenant-Governor of Bengal, I do not think that a salary of 5,000*l.* per annum, hitherto attached to the office, fairly represents the extent and character of the duties for which you will become responsible. On the other hand, it is necessary that great care and economy should be observed in placing charges upon the revenues of Jamaica, especially at the present moment. And, having regard to these considerations, the salary which Her

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Majesty's Government have thought it right to assign to the office of Governor of Jamaica is 7,000*l.* per annum.

You are aware that the Administrative Committee having been abolished, the duties it has hitherto exercised, together with duties hitherto otherwise performed, and new duties belonging to the new form of Government are to be devolved upon the Colonial Secretary, now for the first time appointed by that name in Jamaica, and another officer, to be called the Financial Secretary to the Government. To each of these officers Her Majesty's Government desire that a salary of 1,500*l.* per annum should be assigned. The first will be filled by Mr. Henry Irving, whose judgment and abilities are well known and highly appreciated by those under whom he has served in this department, and as, I learn, by none more than by my immediate predecessor; and whose long and intimate acquaintance with the affairs of Jamaica and other West Indian Colonies has pointed him out as peculiarly fitted to be of assistance to you in the office of Colonial Secretary. The office of Financial Secretary has been offered to Mr. Edward Rushworth, D.C.L., now administrating provisionally the Government of Trinidad, once President administering the Government of Montserrat, and lately Auditor-General of Mauritius. This gentleman's financial and administrative abilities were held in high estimation, as I am informed, by the late Sir W. L. Stevenson, when Governor of Mauritius, and have been equally valued by the present Governor, Sir Henry Barkly.

I have to instruct you to propose to the Legislative Council of Jamaica the necessary grants for giving effect to the intentions of Her Majesty's Government in respect to your own salary, and to those of the Colonial Secretary and the Financial Secretary to the Government.

I have, &c.

Governor Sir J. P. Grant, K.C.B. &c. &c. &c. (Signed) CARNARVON.

No. 3.

No. 3.

Copy of a DESPATCH from the Right Hon. the Earl of Carnarvon to Governor Sir J. Peter Grant, K.C.B.

(No. 32.)

Sir, Downing Street, August 1, 1866.

On the 16th of July ultimo you were put in possession of Her Majesty's commission under the Great Seal by which you are constituted Governor of Jamaica, together with Her Majesty's instructions, under the Signet and Sign Manual, regulating the general exercise of your powers under that commission.

In the present conjuncture of affairs in Jamaica, the trust thus committed to you is of great and peculiar importance. The experience of administrative functions which you have obtained during your service in Her Majesty's Eastern possessions, and still more the ability and zeal for the public welfare of which you there gave proofs, will afford you the best guidance in your new field of duty. But it will be proper that I should bring under your consideration some prominent features of the community which you are to govern, and some of the more important questions which will present themselves on your assumption of the Government. Among the subjects which thus call for your immediate attention, you will, I think, find the following: The relief of the poor,—the influence of the Church of England and of other religious bodies,—education,—the administration of justice by the magistracy,—the police,—the repression of prædial larceny,—the unauthorized occupation of land,—the introduction of capital and labour,—taxation,—and official reform. Without drawing any sharp distinction between these subjects, of which some are intimately connected with each other, the present Despatch will be found to touch upon them in the order in which they are enumerated.

There is no Colony under the Crown in which the state of society and the circumstances and habits of the various classes of the population have been at various times more amply and minutely investigated than in Jamaica. Evidence of that investigation will be found in divers printed volumes, amongst which are Governor Sir H. Barkly's report of his progress through the Island in 1854, the volume of reports consequent on Dr. Underhill's letter in 1865, and the volume of evidence taken by the Royal Commission in 1866, and their report. And although it could not be but that different persons looking from divers points of view should occasionally give different and even opposite accounts of some features in the society, yet, on the whole, there will be found a considerable concurrence on many important points.

On the first of the topics to which I have adverted, the provision for the poor, there is no want of guidance so far as it is to be derived from ample and authentic testimony as to the condition of the population. We need have no doubt that the great difficulty in Jamaica is not to secure under all ordinary circumstances the physical well-being of the peasantry,—such physical well-being, that is, as they themselves are content to rest in, and would not think it worth much effort to improve. It is true that in the case of this peasantry, as of every other, there are seasons and circumstances in which, if they have laid by nothing, they may be overtaken by distress and suffer want for a time; but the general conditions under which they live are such that, with a very moderate degree of industry and prudence, they would have it in their power not only to secure an ample subsistence in ordinary seasons, but also to make provision against seasons of drought or other unfavourable casualties, and not only to live in comfort whilst their health and strength are unimpaired, but to protect themselves from want in sickness and old age. Our object should be, therefore, not so much to shield the peasantry from the consequences of indolence and improvidence (though humanity may require that this should be attempted in some conjunctures) as to promote habits of industry and foresight, which, could they be implanted, would render even occasional want and distress of rare occurrence.

But, whilst the climate and the abundance of fertile land at command render the conditions of physical life thus easy to the peasantry, there is, no doubt, a less numerous class, born and bred in a sphere of life a little above that of the peasantry inhabitants of the towns, and not trained nor fitted for even light labour in tilling the soil, to whom seasons of distress will sometimes occur, against which it cannot be expected that in all cases they should have made provision. Thus the drought of 1863 and 1864, by limiting the gains and means of the peasantry, reduced the effective demand for clothing and other goods concurrently with a rise in the price of cottons consequent on the American war; and this condition of the demand and supply is stated to have brought severe distress upon many sempstresses, small shopkeepers, and others in the towns and villages. The distress of the women is said to have been aggravated by the fact that they are often unmarried mothers, with no legal claim upon the fathers of their children for assistance or support.

These peculiarities of general abundance and specific and occasional pauperism in Jamaica, together with a prevalence of concubinage amounting almost to a national habit, will suggest to you the question whether any, and, if so, what system of poor laws would be best suited to the circumstances of the Colony, and also the question whether the charge for the support and education of bastards should not be thrown upon the putative fathers. The difficulty of ascertaining the paternity, and the little credit to be given to the oath of the mothers, has been alleged hitherto in the Legislature as a ground for rejecting such a law; but it may be worth your consideration whether this constitutes a sufficient ground in a society like that of Jamaica, in which concubinage is for the most part overt and undisguised, and in which the very prevalence and the general toleration of it by the public opinion of the society, may justly plead against the inference that an unmarried mother is for that and no other reason unworthy to be believed on her oath.

There may be even yet more difficulty in charging upon adults without exception the maintenance of aged or infirm parents; for here the prevalence of concubinage will invalidate the personal claims of parents to a large extent, and the putative father and unmarried mother can hardly be considered as entitled to be supported by their bastard issue. If, however, their issue should be themselves living in concubinage, the exemption would not accrue; for in that case, supposing the facts to be ascertainable, in default of the parental claim, the public claim might be justly enforced.

The imposition upon fathers of the charge for maintenance of bastard children, and upon adult bastards, if living in concubinage, of the charge for the maintenance of infirm and destitute parents, would operate, if not as a discouragement, at least as the withdrawal of some inducement to concubinage. The great question, however, as to this, and as to every other moral and spiritual interest of the people, is whether it will be possible to give more effect to moral and religious ministrations and teachings than has hitherto been accomplished.

It is difficult to bring the efficacy of religious ministrations to any determinate test, and, notwithstanding all the efforts that have been made to ascertain the state of society in the Colony in this as well as in other aspects of it, I am not aware that the information hitherto collected will enable you to estimate the amount of positive result obtained from the ministrations of any one class of ministers of the Gospel, or to compare the relative results of the respective classes. The state of the schools within reach of their

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supervision will show how far they have been enabled to bring their influence to bear upon education. The attendance at church appears to depend in some degree upon the display of dress which can be made, and it falls off when the price of certain goods rises, and the means of the negroes are straightened. The number of communicants may be a better criterion; and the same might be supposed of the number of baptisms, but that they seem to be in general out of all proportion to the number of marriages; whence it is to be inferred that rites and ceremonies are readily adopted if they impose neither moral restraints nor legal obligations, but that it is otherwise with those which create a claim to conjugal fidelity, and a legal obligation to contribute to the support of a wife and children. In short, it would seem that to a considerable extent the religious observances of the negro are as yet either superficial or superstitious, and do not carry with them a corresponding moral discipline. Whether and to what extent this is the case under one religious denomination or another, and whether some ministers may not be entitled to deny the application of the charge to their particular flocks, I do not venture to affirm. In cases in which the minister expels from his congregation those who persist in leading an immoral life, it follows, of course, that his flock consists only of those who do not. But, in estimating the efficacy of religious teaching, I need not say that there is a main distinction to be taken between the purity which is obtained by expulsion and that which is obtained by conversion. I do not doubt that in many instances both these operations may have been at work, the religious character of the population at large being, nevertheless, no other than that which I have indicated.

In the difficulty of judging of religious influences by other tests, it may be expedient, if practicable, to resort to the statistics of crime. Under ordinary circumstances very heinous crimes are said to be rare amongst the negroes; but petty larcenies and assaults are very numerous. Perhaps it may be possible to ascertain with what relative frequency they occur in the different pastoral divisions or flocks, whether of Anglican clergymen, of Presbyterians, of Baptists in connexion with the Baptist Society in England, of native Baptists, of Wesleyans, of Moravians, of Roman Catholics, or other ministers of the Gospel, if any.

In considering the bearings of the spiritual wants and provision of the population, you will not fail to remember that the local Act for the support of the clergy expires in 1869.

In conjunction with this you will probably be led to review the position and influences of the clergy of the Church of England in affecting the moral and religious character of the population, and, by the respectability of their lives, impressing their own sentiments and higher tone on the inferior race with which they are brought into contact.

The religious services and condition and wants of the ministers of other religious denominations will require your consideration. An undoubted change has taken place during the last 20 or 30 years. From causes into which I need not here enter, the relations of the minister and his congregation have been modified, if not in some cases reversed; the former becoming more dependent on the contributions of the latter, and the latter consequently less open to the influence of his teaching. What effect this change may have upon the spiritual, temporal, industrial, and self-reliant habits of the negro population, and how far it may be in your power to render any assistance, I must leave to your observation and local experience to determine.

In connexion with the religious bodies in the Island, the subject of education will naturally occupy a large share of your attention. It is, however, vain to multiply schools, unless fit schoolmasters and schoolmistresses can be provided. You will probably think it expedient to institute an inquiry into the characters and qualifications of those now employed, and to consider whether improvements can be effected by the importation of trained teachers from England, by the establishment of normal schools, or otherwise. It may also be a question for consideration whether, in all neighbourhoods in which any reasonably efficient and well-conducted school is within reach, the attendance for some days of the week and some hours of the day of children within certain ages should not be rendered compulsory. The question, how far industrial training could be combined with other tuition, would be an element of peculiar importance in Jamaica. On this subject I beg to enclose for your consideration a paper drawn up by the Revd. J. D. East, principal of the Baptist training school at Calabar.

In the report of the Royal Commissioners it is stated that amongst the causes of irritation leading to the disturbances of October 1865, one was the difficulty experienced by the peasantry "of obtaining relief from alleged injustice in consequence of the constitu-
"tion of the magistracy;" and it is added that "the magistrates are principally planters
"and persons connected with the management of estates," that "those who are not so

" connected are for the most part engaged in business and their attendance is very " irregular," and that " the consequence is that disputes between employers and labourers " and questions relating to the occupation of land which are decided in the first instance " at petty sessions, are adjudicated by those whose interests and feelings are supposed to " be hostile to the labourer and occupier."

Of all the reforms demanded by the state of society in Jamaica, there is none of more urgent and immediate importance than the reform of a suspected and unsatisfactory administration of justice.

The Commissioners considered that a good Master and Servant Act was much required; but above all it is necessary that the system of civil and criminal jurisdiction, in the rural districts if not everywhere, should be reconstructed, and that the constitution of the magistracy should be so altered as to inspire the whole population with confidence in the impartiality of the tribunals; and it is necessary also that the processes by which redress is obtained for petty injuries, and recovery effected of small debts, should be rendered as speedy and cheap as is consistent with a sound procedure.

These objects will, I think, be best secured by the establishment of a sufficient number of stipendiary magistrates to deal with the petty sessions administration of justice, so far as may be necessary, and to adjudicate also in cases of debt, trespass, and damages below a certain amount. It may not be necessary or expedient that the commissions of the present justices of the peace should be revoked. The principal evil would seem to be that their decisions are open to a reasonable suspicion of partiality; though it is fair to add that the suspicion might be often entertained by the employers as well as by the labourers; for if the magistrate be an employer of labour, in the state of the demand and supply of labour in many parts of the Island, it may be greatly to his disadvantage to offend the negroes, and he may have strong inducements to conciliate them. If both parties should desire to have recourse to the unpaid justices, and those justices should be prepared to adjudicate without delay, there should be no needless interference with their administration of justice; but either complainant or defendant, if preferring the jurisdiction of the stipendiary magistrate, should be entitled to require that the case be brought before him at once, and being brought before him it should be heard and decided with the least possible delay.

It is probably deserving of consideration whether the stipendiary magistrates, if active and intelligent men can be found to accept the employment, may not within their several districts render themselves useful in other spheres besides that of judicial duty. It may be that the parochial organization needs to be reformed. If the representative body in the Legislature found itself unfit to consult for the good of the people, still less is it likely that the vestries, which are the representative bodies of the parishes, should be well qualified for the functions which they exercise. How far it may be practicable to reconstitute these bodies upon a better principle, is a question on which I have not the materials to decide; but possibly the services of the stipendiary magistrate might be made use of with good effect for some of the purposes of vestries, whether substantively or as an advising and assisting or as a controlling agency. The regulation of expenditure on account of paupers, and that on account of roads and bridges, the inspection of places of confinement, of hospitals, of lunatic and of leper asylums, which are probably much below the necessities of the case, and the visitation of immigrants under indenture on estates, are all duties for the performance or supervision of which the stipendiary magistrate may, perhaps, be made available.

To such stipendiary magistrates also may be committed the local direction and control of the police. And it is to an active and efficient police force, well regulated and directed, scarcely less than to an impartial magistracy, that we must look for giving security to property and establishing the habits of a well ordered society in the Island. The police, in its present composition, appears to have been altogether unfit and insufficient for these purposes; and it is of the greatest importance that means should be found of rendering it a thoroughly effective force.

In its reorganization you will probably find that it should form one body under one head, and not a number of unconnected bodies localized in parishes or districts, and each acting constantly and continuously in the parish or district to which it belongs.

Under any circumstances it will be desirable so to organize and arrange the police force as to prevent the formation of local and social ties of too close a nature between the constables and those amongst whom they are called upon to act. The success of such a system would depend much upon the discretion of the head of the police, and to a certain extent upon his relations and those of his subordinates with the stipendiary magistrates.

JAMAICA.

Should you succeed in establishing an efficient police and a prompt and impartial administration of justice, much will have been done to promote the material prosperity of the Island, as well as its moral and social welfare.

Twelve years ago, Governor Sir Henry Barkly perceived that insecurity of property was at the root of the indolence and other evils which were throwing the population back into barbarism.

Since then there has been evidence of the distress occasioned to the peasantry by the systematic plunder of provision grounds, the result of which was, that no man being able to rely upon reaping where he had sown, those who had been plundered were driven to become plunderers in their turn, and all honest industry was in danger of coming to an end. In February 1865 the Act for punishing larceny by flogging as well as imprisonment was passed, and in November 1865 an Act was passed amending it, in conformity with the suggestions of my predecessor. I shall wish to be favoured with your opinion upon the practical effect of that measure when you have become more familiar with the state of the Island. To this legislation, however, it will probably be desirable to add a more effective system of prison discipline and penal labour.

The direction which industry should take and the channels to be opened for it, under ordinary circumstances of society, are best left to the operation of natural causes, uninterfered with by the Government. But apart from economic questions, there may be, in the peculiar circumstances of Jamaica, political motives for attempting to give an impulse to one species of employment in preference to another, and the forms into which industry shall be thrown may materially affect the civil and moral condition and prospects, and even the safety, of the Colony.

There are two main divisions of the rural negro population in Jamaica; the one consisting of labourers working on plantations and estates, and living on or near them, with generally one, two, or more acres of land, rented or possessed, on which they or their families grow provisions by the application of the small share of time and labour required by the climate and soil for this purpose; the other cultivators of the soil who work for wages only occasionally, or rarely, or not at all, and who subsist on their own small freeholds, or are squatters on abandoned estates or on Crown lands. The former class is generally more within reach of the church and the school and the influences of civilized life, and is said to be more orderly, manageable, and contented. The latter, occupying often remote or isolated situations, and cherishing a somewhat barbarous independence, are those from whom more directly and principally danger proceeded or was apprehended during the disturbances of October 1865.

"The originators of the outbreak," the Royal Commissioners state, "do not appear "generally to have belonged to the labouring class. They were, for the most part, "what are called free settlers, occupying and cultivating small patches of land, and "placed in better circumstances than the ordinary labourers." And in their "conclu-"sions" they report that a principal object of the disturbers of order was the obtaining of land free from the "payment of rent."

Of course it is not my meaning that any opposition should be offered to the legitimate formation and growth of freehold settlements. At the same time, the effect of such opposition, if it had any effect, would probably be, not so much to prevent the formation of free settlements, as to relegate them to the worst situations in which they could be placed, those, namely, in which they would be distant and inaccessible. The better course would be to offer facilities for settling on freeholds in the vicinity of plantations and of civilized society; and on the other hand, where they have been formed in the mountains and in remote situations, to devise, if possible, some scheme for enabling the institutions and laws of civilized life to follow and reach them. In British Guiana, Governor Hincks has recently devised a scheme for the better government of negro villages and freehold settlements, to which he has given effect with much promise of success, by the ordinance of which I enclose a copy.

What the facilities for acquiring freeholds should be, and how far they should be subject to any limitation, are questions which will require very careful investigation.

The subject of land and squatting in Jamaica is beset with even more difficulties than attend it in some other Colonies. For the civilization, improvement, and good order of the population, it is, as I have indicated, most desirable that it should not be scattered in isolated groups, apart from the influences and obligations of social life. It is desirable also that respect for property in land should be enforced. But we must be careful not to engage in a struggle for these objects in which nature and circumstances are so far

against us as to ensure our defeat. The course of things which actually takes place on many plantations, points to the modification dictated by circumstances in the enforcement of strict limitations to the use of land. The negro buys or rents from the planter or proprietor, say one acre, and occupies by encroachment another, and perhaps a third; and the planter, knowing it to be for his interest that the negro should remain on his property, submits to the encroachment, because, were he to resist it, the negro would probably resort to fertile land at a distance, which he could occupy unmolested. To a certain extent the Government may be compelled to act on a similar principle, and, as I have intimated, to allow the negro great facilities and inducements to remain on such Crown lands as may be within reach of the church, the school, the market, the magistrate, and the police.

But the Government should vary from the practice of the private landowner in this,—that inasmuch as it is highly important to impress upon the negro the obligation of conforming in all things to the law, his inducement to remain on the land should be by the grant of facilities to be legitimately enjoyed, and not by connivance at encroachments; and however small the rent for the extent of land occupied, the extent should be rigorously defined and the rent punctually exacted. This is as much in the interest of the negro himself as of every other class in the Colony.

By some persons it has been supposed that because the freeholders in settlements seem to be more thriving than the labourers on plantations, therefore it is not necessary for the prosperity of the negroes that the plantations should continue to be cultivated. This inference is obviously erroneous. The more prudent and industrious of the labourers on plantations naturally, in due time, become freeholders and cease to work for wages; and the settlements of freeholders being thus formed of the more prudent and industrious, thrive accordingly. But it by no means follows that because the plantations thus feed the freehold settlements from the number of their more thrifty labourers, the labourers at large could do without the plantations.

On account of the negroes, no less than other accounts, it is most important that the plantations in existence should prosper, and that, if possible, those which have been abandoned should be again brought into cultivation. It is for the interest of the planters to promote the well-being of the negroes in their neighbourhood, and so far as lies in their power to render them contented, orderly, and industrious.

That planters and proprietors educated to fill a respectable place in society and commanding respect in the domestic and social relations of life, should continue to reside on the plantations, is indispensable to preserve the population from falling to even a lower point than that which it is to be feared the younger portion of it has already reached in the scale of civilization; and if the population is to advance from that point, the efforts of the Government must be aided by an influx of capital to be invested in maintaining the existing, in redeeming the abandoned plantations, and in establishing new ones.

In other Colonies resembling Jamaica in its prædial aspects, the only resource by which it has been found possible to maintain the plantations in prosperity is that of immigration. This has been supposed to militate against the interests of the negroes by bringing competitors into the labour market.

It is unnecessary to point out the fallacies involved in this popular delusion, nor is there even just ground for believing that the negro, under ordinary circumstances and if left to the free action of his own mind, entertains any real jealousy of the imported coolies.

In the Colonies where immigration has been resorted to on a large scale, the negroes have not been deprived of any employment which they were desirous to retain. Their misfortune is that, having but few wants and those such as nature supplies from her abundance almost unsolicited, they have no need to be industrious, so that they frequently sink into almost absolute barbarism. And what are the fruits of idleness and ignorance in a people of an excitable temperament and childish credulity, may be seen in the descriptions given, even by the ministers of various denominations, of the "Revivals" during the last few years, of the folly and frenzy and often the profligacy by which they were attended, and of the utter demoralization which followed, leading to the abandonment of even the little labour previously performed, and the resort to habitual and wholesale plunder as a means of subsistence. In such a case, had a low rate of wages been possible—low, that is, relatively to the cost of subsistence—the effect would have been favourable to the moral well-being of the negroes. Had the state of the labour market (as in Barbadoes, where every acre of fertile land bears a high price) constrained these people to work for their bread with some steadiness, doing a fair

day's work every day would have contributed to save them from much moral and social degradation, and from the crime and punishment which were too often consequent upon it.

But in reality immigration has not, where fairly tried, produced any declension in the rate of wages. In colonies into which immigrants have been brought in large numbers, the tendency has been rather to change the nature of the negro's employments than to depress his condition. The increased supply of labour for tilling the soil has led to an increased demand for labour in other kinds, and the general prosperity has not failed to reach the negro through new channels and in altered forms. The manufacturing processes have required an increased number of hands; the demand for ground provisions has been increased; huckstering and shopkeeping, and trade in its various branches, have become enlarged, and offered additional employments to the negro; whilst the results to the revenue have been such as to afford the means and appliances of good government.

But if immigration leads ultimately to financial prosperity, on the other hand it is clear that it cannot be established or maintained without considerable resources in public money.

These are conditions precedent to any system of immigration, and it is of great importance that the finances and public expenditure of the Colony should be at the earliest moment subjected to a close examination in order that it may be seen what economies and improvements can be effected, what reductions of unnecessary expense can be made, and what funds are forthcoming by a provident system of taxation. Whether the taxes are the best that can be imposed, whether they are duly and equally collected, and whether their proceeds are regularly accounted for under a system of careful audit and examination,—these will be, no doubt, amongst the first subjects of enquiry to which your attention will be directed.

It has been said that the discontent of the negroes was in some measure owing to the taxes which they were required to pay. It is difficult to discriminate with precision the amount of truth and inaccuracy contained in this general allegation; but it is certain that the additional amount of import duties lately levied on certain goods consumed by the negroes was not derived from any raising of the rate of impost, but only from the same ad valorem rate being levied upon goods of which, owing to the circumstances of the time, the value had much increased. It is, no doubt, very desirable that such articles as the negro can be induced to desire, with a view to the bettering of his condition, should not be of such a cost as would discourage his pursuit or forbid his possession of them. But, on the other hand, it must be remembered, in the case of higher taxes and prices, as in the case of lower wages, that under ordinary circumstances it is but a very moderate addition to his present insufficient and uncertain hours of labour which would enable him to pay even the higher prices out of even the lower wages; and any moderate pressure which should leave less idle time on his hands would be beneficial to him rather than injurious. It is true the advantage is not one which he will himself recognize; and it might be supposed that it would be better, if practicable, to connect his payment of taxes with some palpable advantage to himself, such as the education of his children, the repairs of the roads by which he takes his produce to market, the employment of police for the protection of his provision grounds, and the provision of relief for the old and infirm of his neighbourhood. But this visible connexion between taxation and its objects implies, of course, direct taxation, which, under the present circumstances of the negro population, it may not be expedient to increase beyond the small amount to which direct taxes are already imposed.

It now only remains for me to advert to the public expenditure, and the possibility of so reducing it in some directions as to afford the means of effecting the various improvements we desire, or, at least, those of them which are most urgently required.

It has been often alleged that under the legislative system hitherto in force the expenditure of the public money was grossly corrupt, and many offices were created which were unnecessary, or, being necessary, were too highly paid. By the enactment in 1853 of the Act for the better government of the Island, the initiative of money votes was reserved to the Governor and Administrative Committee. It was hoped that by that measure some check was placed upon extravagant expenditure. But there may be, nevertheless, many offices still in existence which might be reduced or combined, or which ought not to have been created, or to which excessive emolument has been attached. To any of these offices which rest upon permanent Acts of the Legislature, and which ought to be abolished, it will be for Her Majesty's Government to consider whether it may not be proper to apply the principles of the English Superannuation Act.

For the holders of those which are provided for only by temporary Acts, and of which the tenure has been practically insecure, a less compensation will suffice. And wherever it can be done with advantage to the public service, the public servants to whom pensions have been assigned should be re-employed as occasions offer for resuming their services, so that their pensions may be, as far as practicable, saved. It has been intimated on the part of some of these office-holders that they would prefer a capital sum in compensation for loss of office to a retiring pension. But in cases in which re-employment might sooner or later be provided this could hardly be an advantageous arrangement for the public.

The sums of public money allotted for parochial expenditure, the system on which that expenditure is managed, and indeed the whole system of parochial administration, will require especial examination; and I have already adverted to the establishment of stipendiary magistrates as possibly affording the means of superseding, to some extent, or at all events reforming and controlling the action of the vestries.

When you shall have arrived at an estimate of the amount of public money to be rendered available by every practicable reduction of present appropiations, it will remain for you to review the resources at your command, the existing taxation, and the practicability of so revising and altering it as to render it more productive. The practicability of the improvements by which we may hope to raise the Island from its present state of moral, social, and agricultural depression, must depend entirely upon the pecuniary means forthcoming. It is to be noted in the financial history of the Island, that its revenues have never followed the fortunes of the planters to the extent of falling in anything like the proportion in which the exports of sugar have fallen; and I trust that they still retain a fair measure of elasticity; and if they shall afford the means of meeting the more urgent and immediate demands for expenses of reorganization, the improvements introduced will themselves contribute to renew financial prosperity. The security of property will promote industry, and the fruits of industry will increase the produce of the taxes.

Your first care must be, therefore, to estimate the cost of those improvements which are the most important and indispensable, and without which, indeed, all others would be nugatory,—the reconstruction of the magistracy and police. I shall hope to receive from you, as early as may be practicable, a scheme for the division of the Island into districts corresponding to the number of stipendiary magistrates which you may consider necessary to perform the duties you may propose to devolve upon them. It will be for you to state what salaries it may be, in your opinion, expedient and practicable to assign to them; and it will be a question for your consideration whether the ends in view may not be secured by a more limited number of magistrates with wider districts and perhaps circuits, who should be more highly qualified, and a good police force under their control, rather than by a larger number of magistrates of somewhat lower pretensions.

The operation next in importance, and on which the prosperity and the future fiscal resources of the Island will mainly depend, is the importation of immigrants; but I prefer, at all events in the present stage, to leave it to you to suggest the best conditions and terms upon which such a system can be established with advantage in Jamaica.

I have thus drawn your attention, in a manner necessarily more or less cursory, to the principal matters which, as I conceive, will claim your attention on your assumption of your Government. But I have done so rather with a view to place before you a preliminary statement of the questions to be considered, than with any intention of binding your own judgment, formed after mature reflection and that closer investigation which your presence on the field of enquiry will enable you to institute.

As to the tone and temper of your administration, and the principles by which it should be guided, I can say no more than what I know to be already in possession of your mind. But it may be right to place on record the persuasion we both entertain of the paramount necessity which exists that all classes should be impressed with the sense of an undeviating and rigid justice in the administration of the law, and of every department of civil government. Under ordinary and favourable circumstances the relations of races so opposed to each other in many respects as the white and negro population of Jamaica, are surrounded with difficulties; but after the events of the last twelve months the feeling of personal wrong and class triumph must of necessity exist for some time to come. In no way will these feelings of irritation so soon be composed as by an absolute impartiality of language and conduct, and by a conviction on the part of all races and parties that they have to look for strict justice at the hands of the Queen's representative.

JAMAICA

Whilst you will always be entitled to count upon the ready and full support of Her Majesty's Government to maintain the peace and order of the Island, Her Majesty's Government have also a right to expect in those to whose charge such great trusts are committed that in times of political emergency they will show themselves able to withstand the pressure of any one class, or idea, or interest, and that they will maintain that calmness and impartiality of judgment which should belong to the Governor of an English Colony.

I have, &c.

Governor Sir J. P. Grant, K.C.B. &c. &c. &c.

(Signed) CARNARVON.

No. 4.

No. 4.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 36.)

SIR, Downing Street, August 15, 1866.

* Page 2. † Page 87. I HAVE received Sir H. Storks' Despatch No. 139,* of the 30th of June, in reply to Mr. Cardwell's, No. 154,† of the 23rd of May, on the subject of the Act of the late Legislature of Jamaica, 29 Vict. cap. 18. "for making more effectual Provision for the Survey of disputed Lands;" and in compliance with Sir H. Storks' recommendation I shall not for the present submit the Act to Her Majesty for Her decision.

‡ Page 88. By my Despatch No. 32,‡ of the 1st instant, you will have been placed in possession of my general views of the question of regulating the tenure of land by negroes, but I take this opportunity of inviting your early if not immediate attention to the case of the squatters on waste land, and of requesting that you will furnish me at your earliest convenience with a full report which, as far as the nature of the case admits, may exhibit the number, general size, and character of their holdings, and so effectually bring the whole matter forward in a shape that will enable me to see what it is with which we have really to deal, and to determine the principles upon which we ought to proceed.

On the last head I would throw out for your consideration, with the view of settling the manifold conflicts of rights and of showing at the same time to the negro population that their Government is anxious to act with fairness on a subject in which their feelings and interests are so strongly enlisted, whether it would be useful and practicable to institute an inquiry into their alleged titles, to be conducted by a competent barrister sent out from this country, to whom power should be given by a local ordinance to examine on oath, and, with your sanction in each case, to give a conclusive title in a form which would in fact relieve them from the chance of litigation, and make them feel that their property was acknowledged and would be protected by Government.

I have, &c.

Governor Sir J. P. Grant, K.C.B. &c. &c. &c.

(Signed) CARNARVON.

No. 5.

No. 5.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 58.)

SIR, Downing Street, October 1, 1866.

SIR HENRY STORKS brought under the notice of my predecessor the claims to compensation of certain public officers whose offices have necessarily been abolished by the change in the constitution of Jamaica. These claims are under the consideration of the Lords Commissioners of the Treasury. The wider question, however, presents itself of the establishment of a system of superannuation which shall apply to the whole public service of Jamaica, including the clergy. Hitherto there has been no provision for the superannuation of public servants in Jamaica. Any such system which may be now established would of course be based upon the English Act; but in the case of those persons who have accepted office under the late constitution, a question will arise how far their claims should be rejected or reduced, on the ground that their offices and

salaries were held by a more or less technically or more or less substantially uncertain tenure; and also a question how far, even in cases where this uncertainty may not enter into the calculation, the fact of the office having been accepted in consideration of the salary only, and with no prospect of a pension, may invalidate the claim, which would indeed rest rather upon the interest of the service in easily getting rid of unnecessary or semi-incapacitated officers than on the rights of the officers themselves.

With these observations I have to request from you a full report upon the subject at your earliest convenience.

I have, &c.

Governor Sir J. P. Grant, K.C.B. &c. &c. &c. (Signed) CARNARVON.

No. 6.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 60.)

SIR, Downing Street, October 4, 1866.

I TRANSMIT to you the enclosed copy of a communication from Mr. James Carson respecting a disturbance on Hopewell Estate, Annatto Bay.

I have, &c.

Governor Sir J. P. Grant, K.C.B., &c. &c. &c. (Signed) CARNARVON.

Enclosure in No. 6.

STATE OF JAMAICA.

SIR, Spinfield, Great Marlow, August 29, 1866.

FOR the information of Her Majesty's Government and the Colonial Office, I beg leave to trouble you with the enclosed letter from a Mr. Bond, magistrate of the parish of Metcalf, regarding a disturbance and assault on the manager of Hopewell Estate, a property of mine in that parish; and also extract from my agent's letter, Mr. Jamieson, on the same subject.

As I believe the labourers have no real cause for complaint, this intelligence is much to be deplored, as exhibiting a continuance of disaffection and a total disregard of the laws of the Island.

My agent visits the estate regularly, and is at all times ready to redress any real grievance. The censure passed on Ex-Governor Eyre's conduct has had a most injurious effect on the negro mind.

I have, &c.

The Right Hon. C. B. Adderley, Under Secretary, Colonial Office. (Signed) JAMES CARSON.

DEAR SIR, Annatto Bay, Aug. 7, 1866.

A RATHER serious disturbance has occurred at Hopewell between the overseer and some of the people, arising out of disputes about wages. They broke into the house, and treated the overseer rather roughly, and compelled him to pay them money they were not entitled to. Mr. Stewart has asked me to inform you of this occurrence, and would suggest the advisability of your going to the property, and inquiring into the matter.

I remain, &c.

(Signed) EDWARD BOND, J.P.

Another magistrate and agent for Hibbert's estates in the same parish, Mr. Stewart, has addressed a letter to the people to behave themselves peaceably, and if they will come to him he will inquire into their grievances if they have any to complain of.

W. T. Jamieson, Esq.

EXTRACT of a LETTER from Mr. JAMIESON to J. CARSON, Aug. 8, 1866.

HOPEWELL ESTATE. Kingston, Jamaica.

MR. LIDDELL has been unable to push on sugar making as fast as necessary to get off the ripe canes; his chief difficulty now is labour.

Since writing thus far I have just had a visit from the inspector of police for Metcalfe (now in Kingston), who has received an express from Annatto Bay, stating the people of Hopewell were in a rebellious state; that the overseer had to use his revolver for the protection of his life; that the police had been despatched to the place, and information sent to Commander Brand, of H.M.S. "Delight,"

JAMAICA.

at Port Antonio, who, I suppose, will bring his vessel to Annatto Bay. I start to-night for Hopewell to inquire into this disturbance. Nothing but immigration will enable estates to carry on sugar, manufacture. We see this more and more every day, owing to the independence of the negroes and their unlawfulness of conduct.

No. 7.

No. 7.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 85.)

SIR, Downing Street, November 16, 1866.

* Page 8.

I HAVE received your Despatch, No. 31,* of the 23d October, and I have to convey to you my approval of the Address with which you opened the first Session of the Legislative Council of Jamaica.

I have, &c.

Governor Sir J. P. Grant, K.C.B. (Signed) CARNARVON.
&c. &c. &c.

No. 8.

No. 8.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 91.)

SIR, Downing Street, November 22, 1866.

* Page 4.

I HAVE received your Despatch, No. 25,* of the 23d ultimo; and I have to signify to you my approval of the appointment of Mr. Louis Fullerton Mackinnon, Mr. Peter Moncrieffe, and Mr. James Henry M'Dowell to be unofficial members of the Legislative Council of Jamaica.

I have, &c.

Governor Sir J. P. Grant, K.C.B. (Signed) CARNARVON.
&c. &c. &c.

No. 9.

No. 9.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 92.)

SIR, Downing Street, November 24, 1866.

I TRANSMIT to you the enclosed copy of a letter from the Secretary to the British and Foreign Freedmen's Aid Society, soliciting a remission of duties on articles of clothing imported into Jamaica for the relief of persons in districts supposed to be distressed. I also transmit to you a copy of the answer which I have directed to be returned to that letter, and I have to request that you will furnish me with a report on the subject.

I have, &c.

Governor Sir J. P. Grant, K.C.B. (Signed) CARNARVON.
&c. &c. &c.

Enclosure in No. 9. JAMAICA.

MY LORD, 102, Fleet Street, E.C., Nov. 14, 1866. Encl. in No. 9.

SEVERAL benevolent persons in this country are disposed to send out material for clothing to relieve the poor in the distressed districts of Jamaica under proper supervision, and with the needful discrimination. In the supplies sent for the relief of the freedmen in America the United States Government graciously remitted the duties on all articles forwarded for this charitable purpose. Our committee entertain the hope that Her Majesty's Government may be disposed to encourage the exercise of benevolence in a similar manner. I am aware that any regulation of this nature may not come within your Lordship's department, but a recommendation to his Excellency the Governor of Jamaica would have sufficient weight to determine the matter. Probably the amount of duty might, after all, be very trifling; but the spirit of the act would have the best effect.

I need scarcely assure your Lordship that, as a society, our aim is purely philanthropic. We wish to do all we can to plant schools, and to relieve extreme destitution, and to render aid to all who are willing to work in simplicity and with wisdom to ameliorate the condition of the coloured people.

I am, &c.

The Earl of Carnarvon, &c. &c. (Signed) JOHN WADDINGTON.

SIR, Downing Street, 24th Nov. 1866.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 14th instant, soliciting a remission of duties on articles of clothing imported into Jamaica for the relief of persons in districts supposed to be distressed.

It appears to his Lordship that the effect of the proposed remission would be virtually to tax the population at large for the relief of particular districts. How far it is necessary, and, if so, in what form it would be expedient, that this should be done, is for the consideration of the Governor and Legislature of the Colony, to whom your letter will be referred.

I have, &c.

The Rev. J. Waddington, 102, Fleet Street. (Signed) C. B. ADDERLEY.

No. 10.

No. 10.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor SIR J. PETER GRANT, K.C.B.

(No. 93.)

SIR, Downing Street, November 26, 1866.

I ENCLOSE the prospectus* of the "Jamaica Commercial Agency Company, Limited," together with a copy of a memorial addressed to me by the directors. * Not printed.

A deputation representing the Company lately waited upon me at this office. They referred to a letter from Mr. Salmon, custos of Cornwall, to Governor Eyre, (Part 1. pp. 120–1 of the Papers printed for Parliament relative to the disturbances in Jamaica,) and complained of the statements contained in it. So far as I am enabled to judge from the explanations which they gave me, the facts of the case do not seem in any way to justify the strong expressions made use of by the custos.

The deputation asked for the countenance of the Government to their schemes. I have informed them that the Government can give them no assistance, and that the undertaking, like every other commercial undertaking, must not count upon official support, either here or in Jamaica, but that I would communicate with you, and request a report from you on the subject.

I have not the materials to enable me to say how far such an agency is likely to be a prudent or a profitable undertaking, nor is it necessary that I should do so. My only wish is that any such association which is not opposed to public interests in its objects or operation should receive fair play at the hands of the local authorities.

I have, &c.

Governor Sir J. P. Grant, K.C.B. &c. &c. &c. (Signed) CARNARVON.

Enclosure in No. 10. Encl. in No. 10.

To the Right Hon. the Earl of CARNARVON, Her Majesty's PRINCIPAL SECRETARY for the COLONIES.

8, Finch Lane, London, E.C., November 6, 1866.

THIS Memorial showeth, that in August 1865 a number of the small freeholders and planters of the parish of St. Elizabeth, in the county of Cornwall, Jamaica, formed themselves into a local association for the promotion of agricultural and commercial industry.

JAMAICA.

That the said association sent a deputation to England to arrange for the establishing of an agency by which the colonists might be enabled to carry out efficiently their objects.

That after a thorough investigation into the resources, and carefully ascertaining the intentions of the deputation, an agency was formed, called "The Jamaica Commercial Agency Company, Limited," of which the document marked A* appended hereto is the prospectus.

* Not printed.

That the company undertakes to import colonial produce, export British goods and manufactures, and dispose of the same in the home and colonial markets, chiefly on account of the small planters.

That in the division of profits the co-operative principle has been adopted, whereby producers and purchasers, being shareholders, may become beneficially interested in the prosperity of the company.

That the local association at Black River was seriously injured by an attempt which the custos of Cornwall county, Jamaica, made in October 1865 to stop its progress, by reporting it to the Governor as an imposition, got up under false pretences, and asking for advice as to its legality at such a time.

That although, in the opinion of Mr. Heslop, the attorney general for the Colony, the association was perfectly legal, yet the attempt to bring it into disrepute caused a large number of persons to withdraw their adhesion.

That this statement is presented for your Lordship's consideration, so that your Lordship may be assured that it is a bonâ fide commercial undertaking, and in the hope that while the Colony is under the direct control of Her Majesty's Government every legitimate effort to improve the social condition of the Colonists, to promote their prosperity, and to unite them to the mother country by direct commercial intercourse, will have the protection, if not the approval, of the responsible representatives of Her Majesty at home and in the Colony.

Signed on behalf of the shareholders of the company.

ALFRED S. CHURCHILL, Chairman.
THOS. HUGHES, Deputy Chairman.
P. A. TAYLOR.
EDW. B. UNDERHILL.
JOSEPH WOODIN.
JOHN H. ESTCOURT.

No. 11.

No. 11.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor SIR J. PETER GRANT, K.C.B.

(No. 95.)

SIR, Downing Street, November 28, 1866.

I TRANSMIT to you the enclosed extract from a letter from the West India Encumbered Estates Commission, and I have to request that, if you see no objection to doing so, you will report whether, in your opinion, the state of the Island is such as to justify the Commissioners in ordering sales of estates.

I have, &c.

Governor Sir J. P. Grant, K.C.B. (Signed) CARNARVON.
&c. &c. &c.

Encl. in No. 11.

Enclosure in No. 11.

West India Incumbered Estates Commission,
8, Park Street, Westminster.

(Extract.)

IN consequence of the disturbances which took place in the island of Jamaica at the close of last year, and the state of the Island since that time, the Commissioners have thought it their duty not to order the sales of any estates in that Colony, fearing lest the condition of the Island might depreciate the value of the properties offered for sale.

The Commissionere are desirous of ascertaining whether, in the opinion of the Secretary of State for the Colonies, the condition of Jamaica is now such as to justify the Commissioners in directing the sale of estates in that Colony.

No. 12.

No. 12.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 108.)

SIR, Downing Street, December 29, 1866.

* Page 13.

I HAVE to acknowledge your Despatch No. 52* of 24th November 1866; and I have to convey to your Her Majesty's gracious confirmation and allowance of the law

passed by you, with the advice and consent of the Legislative Council of Jamaica, intituled, No. 1. of 1866, "A law to increase and secure the revenue from rum." JAMAICA.

I have, &c.

Governor Sir J. P. Grant, K.C.B. &c. &c. &c. (Signed) CARNARVON.

No. 13. No. 13.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor SIR J. PETER GRANT, K.C.B.

(No. 113.)

SIR, Downing Street, December 29, 1866.

I HAVE to acknowledge your Despatch No. 54,* of 24th November 1866, transmitting a law passed by you, with the advice and consent of the Legislative Council of Jamaica, intituled No. 3. 1866, "A law to declare the amount of the salaries of the Governor and of the Colonial and Financial Secretaries of Jamaica." * Page 14.

I have to convey to you Her Majesty's gracious confirmation and allowance of this law.

I have, &c.

Governor Sir J. P. Grant, K.C.B. &c. &c. &c. (Signed) CARNARVON.

No. 14. No. 14.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 118.)

SIR, Downing Street, January 1, 1867.

I HAVE to acknowledge the receipt of your Despatch No. 57,* of the 24th November, reporting the reduction effected by you in the ecclesiastical expenditure in Jamaica, and the steps taken by you with a view to a further reduction of it. * Page 15.

I concur in your views on this subject, and approve your proceedings for giving effect to them. I have observed with satisfaction the cordial co-operation which you have met with from the Bishop.

I have, &c.

Governor Sir J. P. Grant, K.C.B. &c. &c. &c. (Signed) CARNARVON.

No. 15. No. 15.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor SIR J. PETER GRANT, K.C.B.

(No. 125.)

SIR, Downing Street, January 14, 1867.

I HAVE the honour to acknowledge the receipt of your Despatch No. 67,* of the 8th ultimo, enclosing a copy of a correspondence between the Bishop of Kingston and yourself on the question of the re-organization of the Ecclesiastical Establishment of Jamaica. * Page 33.

I will only observe at present that whenever you shall consider that the time has arrived for a settlement of the question respecting the Church in Jamaica, and shall have matured your own views upon it in communication (as you propose) with the Bishop, I shall be prepared to give my best attention to the scheme or schemes which may be brought before me.

I have, &c.

Governor Sir J. P. Grant, K.C.B. &c. &c. &c. (Signed) CARNARVON.

JAMAICA.

No. 16.

No. 16.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 133.)

SIR, Downing Street, January 30, 1867.

BY this mail you will receive my Circular Despatch of the *30th January, conveying the instructions by which Her Majesty's Government are desirous that Governors of the Colonies should be guided in the conduct of their proceedings for the suppression of disturbances.

* Vide paper presented on Martial Law, June 24, 1867.

I now enclose an extract of a Despatch to the Governor of the Leeward Islands, from which you will perceive that, in the opinion of Her Majesty's Government, the power of proclaiming martial law should be exercised, if at all, on the responsibility of those who proclaim it, and not under the protection and authority of any local law.

Jamaica, as far as I am aware, is one of the very few Colonies in which this authority is at present given by law, and I have to instruct you, as I have instructed the Governor of Antigua, to procure the repeal of so much of the Act cap. 35 of 1845 as authorizes the Governor to proclaim martial law.

In anticipation of this repeal, Her Majesty has been advised to disallow the Act of the Legislature of Jamaica, forwarded in Governor Eyre's Despatch No. 297, of the 23rd of November 1865, 29 Vict. cap. 3., entitled "An Act to enable the Governor of this "Island to declare Martial Law over the whole or any Portions of the Island, by and "with the Advice of the Privy Council."

I have, &c.

Governor Sir J. P. Grant, K.C.B. &c. &c. &c.

(Signed) CARNARVON.

Encl. in No. 16.

Enclosure in No. 17.

EXTRACT of a Despatch from the Earl of Carnarvon to the Officer administering the Government of Antigua, dated Downing Street, 30th January 1867, No. 40.

AN enactment which purports to invest the Executive Government with a permanent power of suspending the ordinary law of the Colony, of removing the known safeguards of life and property, and of legalizing in advance such measures as may be deemed conducive to the establishment of order by the military officer charged with the suppression of disturbances, is, I need hardly say, entirely at variance with the spirit of English law. If its existence can in any case be justified, it can only be because there exists such a state of established insecurity as renders it necessary for the safety and confidence of the well disposed that, in times of national emergency, the Government should possess this extraordinary facility for the suppression of armed rebellion. But whatever apprehensions or disturbances may exist in any of Her Majesty's Colonies, it is certain that no such chronic insecurity prevails in any of them, and in no Colony, therefore, should the power given by the present law to the Governor of Antigua be suffered to continue.

I think it therefore necessary to repeat the instructions given by my predecessor to Colonel Hill, and to request that you will cause to be submitted to the Legislature an Act repealing so much of the law as authorizes the proclamation of martial law.

I have only to add that, in giving you these instructions, Her Majest'ys Government must not be supposed to convey an absolute prohibition of all recourse to martial law under the stress of great emergencies, and in anticipation of an Act of Indemnity. The justification, however, of such a step must rest on the pressure of the moment, and the Governor cannot by any instructions be relieved from the obligation of deciding for himself, under that pressure, whether the responsibility of proclaiming martial law is or is not greater than that of refraining from doing so.

No. 17.

No. 17.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 136.)

SIR, Downing Street, January 31, 1867.

I HAVE considered with great care your Despatch No. 82,* of the 26th of December, in which you submit the measures which appear to you to be best adapted for securing to the people of Jamaica a proper administration of justice.

* Page 37.

I have read that communication with great interest, and am glad to give my hearty approval to the scheme which you recommend. It is one which fully carries out the general suggestions that I have made, and is so judicious in its application to local

circumstances and requirements that I hopefully anticipate from it the success which it deserves. I will gladly co-operate with you in securing the most qualified persons to fill the appointments which you propose to create of district civil and criminal judgeships; and I have already taken steps with a view to a proper selection.

I have, &c.

Governor Sir J. P. Grant, K.C.B. (Signed) CARNARVON.
&c. &c. &c.

No. 18.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 137.)

SIR, Downing Street, January 31, 1867.

WITH reference to your Despatch of the 24th December last, and an Act, No. 7* of 1866, entitled "A Law to continue the Duties under the Act of Twenty-second Victoria, "chapter Forty-eight, and the other Acts to promote Steam Communication between this "Island and the United States of America," I have to inform you that Her Majesty has been graciously pleased to confirm that Act. * Page 36.

At the same time, I must observe that I should have been glad to have had some explanation why it should now be proposed permanently to continue and appropriate for the general purposes of the Island duties which in their inception were mainly raised to provide for a special and important object, namely, the establishment of a mail service between Jamaica and the United States, and which have been continued for the same purpose, as is shown by the Acts of 22 Vict. c. 48, and 27 Vict. sess. 1. cap. 1.

I have, &c.

Governor Sir J. Peter Grant, K.C.B. (Signed) CARNARVON.
&c. &c. &c.

No. 19.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 143.)

SIR, Downing Street, January 31, 1867.

WITH reference to my Despatch No. 136,* of this day's date, I have to inform you that I have appointed Mr. A. Boyd Purcell, a member of the English Bar, and Mr. Patrick Blair, an Advocate of the Scotch Bar, to fill two of the newly created offices of District Judge in Jamaica, on salaries respectively of 800*l.* a year. * Page 102.

Mr. Blair and Mr. Purcell will leave this country, to take up their appointments, by the Royal Mail steam packet of 2nd February.

I have, &c.

Governor Sir J. Peter Grant, K.C.B. (Signed) CARNARVON.
&c. &c. &c.

No. 20.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir JOHN P. GRANT, K.C.B.

(No. 150.)

SIR, Downing Street, February 12, 1867.

WITH reference to my Despatch No. 160,* of 16th instant, I transmit to you a copy of a letter from the Bishop of Kingston, enclosing a copy of a letter dated the 30th ultimo, addressed by his Lordship to yourself, in which he proposes that certain clergymen, instead of receiving a retiring allowance, should receive an allowance of 100*l.* a year to enable them to keep a curate. * Page 105.

JAMAICA.

I shall not take this proposal into consideration until you shall have reported your own views upon it.

I have, &c.

Governor Sir J. P. Grant, K.C.B., &c. &c. &c.

(Signed) CARNARVON.

Encl. in No. 20.

Enclosure in No. 20.

BISHOP of KINGSTON to the EARL of CARNARVON.

MY LORD, 18, Duke Street, St. James, January 30, 1867.

FROM a letter addressed to me by Sir John Grant, dated the 5th of December last—of which, the original having unaccountably miscarried, I have just obtained a copy from the Colonial Office—it appears that the Governor has made temporary provision for certain invalided clergymen, pending your Lordship's decision respecting their pensions. I have to-day written to Sir John Grant to express my cordial concurrence in his views, with one minor modification; and to assure him that I will, without delay, communicate with the clergymen concerned, *i.e.* with such of them as are now in England, so soon as I am acquained with your Lordship's decision.

The modification to which I allude is, the granting in certain cases to a clergyman partially incapacitated for the performance of his duties 100*l.*, a year to assist him in keeping a curate, instead of 200*l.* a year as a retiring pension. I conceive that a clergyman would sometimes prefer this arrangement. He would continue to preach and to superintend the work, and would be sometimes a very valuable guide to his more youthful assistant, a point to which I attach peculiar importance in a country like Jamaica, in which it is generally impossible to avoid giving to newly ordained deacons sole cures.

I have, &c.

The Earl of Carnarvon, &c. &c. &c.

(Signed) REGINALD KINGSTON.

BISHOP of KINGSTON to GOVERNOR of JAMAICA.

SIR, 18, Duke Street, St. James, London, January 30, 1867.

HAVING obtained from the Colonial Office the favour of a copy of your Excellency's letter to me of the 5th of December last, the original of which has miscarried, I lose no time in acknowledging it, and expressing my thanks for your adoption of the tabulated scheme which, at my desire, my Commissaries, after conference with you, have substituted for that originally submitted by me. I have no doubt it will work well.

2. Fully admitting the correctness of the estimate, that 6,629*l.*, or perhaps a less sum, would represent the full amount of the future annual savings to the revenue which, as the experience of the current financial year has shown, will result from imposing certain charges upon our congregations, it is still observable that prior to this more favourable year, which was commenced under your Excellency's auspices as Governor of a Crown colony, the parochial allowances did amount to about 8,500*l.* a year; in which, however, were included certain repairs of churches, probably amounting to about 2,000*l.* As it is tolerably certain that in future years the same extent of repairs could be effected under better management for half the money, I assumed the sum of 7,500*l.* as representing the actual difference between past and future expenditure; or, if by the letting of seats in churches (which is now illegal) those repairs could be provided for by our congregations, then that actual difference would be 8,500*l.*

3. In respect of the proposed pensions for clergymen, I have not yet been favoured with any intimation of the decision of Lord Carnarvon. I can, therefore, only say that, with one minor modification, to be stated presently, I most cordially concur in the proposals of your Excellency; and I am confident that the clergy will be grateful to you for the close consideration you have given to this matter, and the liberality of the arrangement you have proposed. I have expressed this in a private interview with Mr. Cyril Graham, and, this day, in a letter to Lord Carnarvon.

The modification I allude to is, the granting in certain cases 100*l.* a year to a clergyman partially incapacitated, to aid him in keeping a curate, instead of a retiring pension of 200*l.* a year.

4. As soon as I am acquainted with the decision of Lord Carnarvon, I will, without delay, communicate with the clergymen in this country who will be affected by it. From the list of these, however, one has already been removed by the hand of God. The Rev. W. Rowe departed this life on the [sic] day of [sic]. This will, I believe, allow of an immediate saving of more than 400*l.* a year.

5. Mr. Cheyne will be glad to accept the rectory of St. George's Parish, and I am highly gratified at your admission of Mr. Nuttall in his place, which will be most acceptable to the congregation.

6. I may here take occasion to assure your Excellency that I must fully admit the necessity for my avoiding the introduction of any additional clergyman to the island, upon the expectation of being eventually placed upon the Island Establishment, until all the reductions at present contemplated are carried out, nor even then without a full understanding with the head of the Government.

7. I have not obtained a copy of the letter which your Excellency addressed to me, in reference to what I said in mine of the 24th of October last, concerning your partially formed scheme for a church establishment numbering only 42 clergymen. Your Excellency regrets that I should have made a formal protest against a scheme which was not formally announced, nor in fact fully developed, but which was referred to only as desirable. I must beg your Excellency to accept of the only apology which is in my power, which is, that your not unreasonable desire to carry out, if it were hereafter shown on further inquiry and deliberation to be practicable, a scheme which would save a considerable sum, appeared to me to have raised an almost insurmountable barrier to your acceptance, even for the next three years, of the less extreme measure of reduction which I had submitted to you. I feared

that my labour to vindicate the character of the clergy as a body, and to prove the value of their services to the mass of the people, many of whom, notwithstanding the yearly increasing efforts of the ministers of the church, are still without any spiritual guidance whatever, would be wholly in vain.

I sincerely rejoice to confess that my anxieties were greater than the occasion warranted; and I will indulge the hope that our 65 clergymen (when their numbers can be brought down to this) will so acquit themselves that in 1870 the Governor and Bishop will be equally desirous to retain their services.

8. It is, indeed, possible that your Excellency's plans for the improvement of the revenue, however well devised, may partially fail, and that their failure may necessitate a further reduction of the numbers or stipends of the clergy. Such a crisis, should it arise, will not find me, if I live, unprepared. For more than a year past I have been endeavouring, in co-operation with many of the clergy, to increase the number of our catechists. We have already more than doubled their number. This would not have contented us, even had the number of the clergy remained unaltered; and the reductions recently decided on rendered the case still more urgent than before. To obtain, if possible, prompt and permanent assistance, our Missionary Society issued an "appeal to England" for aid in the course of last summer. It met with very little success, though supported by the advocacy of clergymen of the diocese. My personal efforts, however, have been already rewarded; and I rejoice to say that, though much remains to be settled by further conference and correspondence, I have come to a most friendly understanding with influential members and officers of the Church Missionary Society, and that they will resume their long-abandoned mission in Jamaica. Our object will be, not so much to increase the number of catechists as to give them a higher moral, intellectual, and spiritual training, in the hope that, while all will become more valuable auxiliaries to the clergy, some may be found worthy of ordination.

I am happy to think that your Excellency will see that, in labouring in this direction, I shall be doing all in my power to facilitate the future realization of your own views by rendering it more practicable to have recourse, in case of necessity, to the services of ministers of an inferior class. What I seek to do, with a view to church extension, will be no less useful as a partial remedy for the losses we should sustain by any further reduction in the numbers of the clergy of the higher class.

9. Whether, by personal efforts, I shall succeed in inducing a number of the non-resident proprietors of estates in Jamaica to do for our poor island what the same description of persons does for Barbadoes, has yet to be proved. But I shall do what I can by personal interviews, the only mode of appeal by which much can be effected.

I have, &c.

Sir John Peter Grant, K.C.B., &c. &c. &c.

(Signed) REGINALD KINGSTON.

No. 21.

No. 21.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 153.)

SIR, Downing Street, February 14, 1867.

I HAVE the honour to acquaint you that I have appointed Mr. Harry Davidson and Mr. Charles Rampini, Advocates, to be District Judges in Jamaica, at salaries of 800*l.* per annum. They will take their departure by the outgoing mail steamer, and I have authorized the Crown Agents for the Colonies to advance to Mr. Davidson 200*l.*, or one quarter's salary.

I have, &c.

Governor Sir J. P. Grant, K.C.B., &c. &c. &c.

(Signed) CARNARVON.

No. 22.

No. 22.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir J. PETER GRANT, K.C.B.

(No. 160.)

SIR, Downing Street, February 16, 1867.

I TRANSMIT to you the enclosed copy of a correspondence with the Board of Treasury on the subject of your Despatch No. 65*, of the 8th of December last.

* Page 26.

With the concurrence of the Lords Commissioners of the Treasury, I authorize you to give effect, pending the decision upon a general scheme of superannuation, to that portion of the scheme proposed by you which relates to the clergy, although you will perceive that their Lordships are averse to the limitations of clerical pensions recommended by you.

JAMAICA.

* Page 25.

In your Despatch No. 64*, of the 8th of December, you rest those limitations on the temporary character of the local provision for the clergy. If there should be any cases in which the limitation would press hardly against clergymen who may be precluded by age or infirmity from employment in their profession elsewhere, I have no doubt that you will give such cases due consideration within the limits of the Superannuation Act of 1859. As, however, in his letter to you, dated the 30th ultimo, the Bishop of Kingston states that, with one minor modification, he most cordially concurs in your proposals for pensions to the clergy, and expresses his confidence that the clergy will be grateful for the liberality of the arrangement, I do not anticipate that you will find it necessary to modify it in many cases, if at all.

I have, &c.

Governor Sir J. P. Grant, K.C.B. (Signed) CARNARVON.
&c. &c. &c.

Encl. in No. 22.

Enclosure in No. 22.

Sir FREDERIC ROGERS to GEORGE HAMILTON, Esq.

SIR, Downing Street, January 19, 1867.

I AM directed by the Earl of Carnarvon to transmit to you, for the consideration of the Lords Commissioners of the Treasury, a copy of a Despatch from the Governor of Jamaica, enclosing a copy of a correspondence between the Bishop of Kingston and himself on the question of reductions in the Colonial ecclesiastical establishment.

The present local provision for the clergy will expire on the 31st of December 1869, when it is in contemplation to revise and effect a certain reduction in the establishment. In the meantime a saving of between 6,000*l.* and 7,000*l.* a year in the ecclesiastical expenditure will be effected from the 1st instant by throwing upon the parishes certain parochial ecclesiastical charges which have been hitherto defrayed from the public revenue. Also, both from motives of present economy and with the view of limiting the number of claimants to consideration when the local provision for the clergy expires in 1869, the Governor proposes not to appoint to benefices as they become vacant by the death or retirement of their holders.

In a scheme of superannuation communicated to you in my letter of even date, the Governor proposes to grant pensions to clergymen incapacitated for further service at the rate of $\frac{1}{60}$ of their salary for each year of service, but not exceeding 200*l.* in the case of rectors, nor 150*l.* in the case of clergymen of inferior rank; and in the enclosed letter to the Bishop of Kingston he intimates his intention at once to give provisional effect to this scheme in respect to the clergy.

The Earl of Carnarvon proposes, if their Lordships see no objection, to approve this course, which appears to have been demanded by the circumstances of the case.

I have, &c.
(Signed) FREDERIC ROGERS.

GEORGE WARD HUNT, Esq., to the UNDER SECRETARY OF STATE FOR THE COLONIES.

SIR, Treasury Chambers, February 2, 1867.

I AM directed by the Lords Commissioners of Her Majesty's Treasury to acquaint you that they have had under consideration your letter of the 19th ultimo, enclosing a Despatch, No. 65, from the Governor of Jamaica, with copies of correspondence with the Bishop of Kingston, on the subject of reductions in the ecclesiastical establishment in that island.

I am to state, for the information of the Earl of Carnarvon, that it appears to my Lords from these papers that, pending a general revision and reduction of the establishment at the expiration of the present local provision for the clergy on the 31st December 1869, an immediate saving of ecclesiastical expenditure, to the extent of between 6,000*l.* and 7,000*l.* a year, can be effected by the redistribution of some and the reduction of other stipends of certain rectories and curacies.

The scheme proposed comprehends the grant of pensions to two rectors, viz.—

		£	
S. Dorothy	Rev. Mr. Rowe	412	Stipend.
S. John's	„ Hylton	418	„

and to four curates, viz.—

		£	
Blue Mountain	Rev. Mr. Stearn	340	Stipend.
Somerset Hall	„ Kingdon	340	„
Pedro Plains	„ Brown	340	„
Manchioneal	„ Jones	340	„

and the amounts proposed by the Bishop for the pension in the case of each rector is 200*l.*, and in the case of each curate is 150*l.*

In his letter to the Bishop of the 5th December, the Governor states that the question of the amount of the superannuation allowances to be granted to these clergymen will depend upon the orders of the Secretary of State, and he proposes that, pending the consideration of a general measure of superannuation applicable to the Civil Service of the colony, subsistence money should be allowed at the rate of $\frac{1}{60}$th part of the salary for every year of service, but not to exceed a maximum in the case of a

rector of 200*l.*, and in the case of a curate, of 150*l.*; the grants to be dependent upon the production of medical certificates, if the person is under sixty years of age. JAMAICA.

The amounts of the allowances to be granted to these officers will, under these circumstances, depend upon their length of service and the rate of salary in each case, and will not be uniform for rectors at 200*l.* and for curates at 150*l.*, as proposed by the Bishop.

The papers submitted to this department do not show the length of the services of any of these officers, and their Lordships are, therefore, unable to form any opinion as to the amount that would be granted in each case, as compared with the rates recommended by the Bishop and the maximum rates proposed by the Governor.

At the same time, they see no objection to the Governor being authorized to carry into effect his proposal for granting allowances to these clergymen pending the introduction of a general scheme applicable to the Civil Service, now under their Lordships' consideration; but they do not perceive that any satisfactory reason is given for limiting the pensions to 200*l.* and 150*l.*

If the principle of granting $\frac{1}{60}$th of the salary for each year of service is adopted, there seems to be no reason for debarring an officer of long service from the benefit of a higher pension according to such protracted service, provided that the maximum of $\frac{40}{60}$ths, which is the limit authorized by the Superannuation Act of 1860, is not exceeded.

I have, &c.

The Under Secretary of State for the Colonies, (Signed) GEORGE WARD HUNT.
&c. &c. &c.

No. 23. No. 23.

COPY of a DESPATCH from His Grace the Duke of BUCKINGHAM AND CHANDOS to Governor Sir J. PETER GRANT, K.C.B.

(No. 6.)

SIR, Downing Street, March 14, 1867.

I HAVE the honour to acquaint you that Mr. Charles William Orpen and Mr. Lowry, of the Irish Bar, have been appointed District Judges in Jamaica, and will proceed to the Colony by an early opportunity. As six judges have now been appointed, I shall be glad to learn from you whether any further appointments should be at once made.

I have, &c.

Governor Sir J. P. Grant, K.C.B. (Signed) BUCKINGHAM AND CHANDOS.
&c. &c. &c.

No. 24. No. 24.

COPY of a DESPATCH from His Grace the Duke of BUCKINGHAM AND CHANDOS to Governor Sir J. PETER GRANT, K.C.B.

(No. 21.)

SIR, Downing Street, April 15, 1867.

I TRANSMIT to you the enclosed copy of a memorial which has been presented to me by the chairman, deputy chairman, and two directors of the "Jamaica Commercial Agency Company, Limited," respecting the Bill to impose licenses on professions, trades, and occupations, which has been introduced in the Legislative Council of Jamaica by the Financial Secretary.

I observe in the colonial newspapers that the Colonial Government is prepared to consider any objections which may be urged against the details of the Bill, and I have no doubt that the memorial will receive their careful consideration.

I have, &c.

Governor Sir J. P. Grant, K.C.B. (Signed) BUCKINGHAM AND CHANDOS.
&c. &c. &c.

Enclosure in No. 24.

To His Grace the Duke of Buckingham, Her Majesty's Secretary of State for the Colonies. Encl. in No. 24.

This memorial showeth—

That the Financial Secretary for the Island of Jamaica has introduced a Licensing Bill for the purpose of raising the sum of 20,000*l.* over and above the amount estimated to accrue from the ordinary sources of reveuue.

That the aforesaid Bill enacts that every company carrying on business within the said Island, and realizing five per cent. profit on its capital, shall pay the sum of 100*l.* annually:

That every merchant, factor, and wholesale dealer shall pay annually the sum of 50*l.*:

JAMAICA.

That every person carrying on a retail business in any store, warehouse, or shop shall pay the sum of 50*l.*, 30*l.*, 10*l.*, 5*l.*, and 1*l.* annually, where the average weekly sales amount to 60*l.*, 40*l.*, 20*l.*, and 10*l.*, respectively:

That, among other licences, the sum of 10*l.* is imposed on every person who may keep and use machinery propelled by steam power for scarving timber, extracting oils, or grinding grain, or who may carry on the business of a founder, coppersmith, general builder, or sugar refiner.

That the before-mentioned licences are, in amount and in the mode of assessment, prejudicial, if not fatal to the mercantile and industrial interests of the Island.

That your memorialists formed a company in 1866, known by the name of "The Jamaica Commercial Agency Company, Limited," for the purpose of promoting direct commercial intercourse between the small planters of Jamaica and this country, introducing the principle of co-operation in the division of profits among the producing and consuming shareholders of the said company, and establishing in the most important ports of the Island co-operative depôts, whereat British goods and manufactures might be sold.

That your memorialists feel convinced that the imposition of the licence of 100*l.* on their company, and an additional 50*l.* on each store they may open in the Island, is a prohibitory tax, and will compel them to give up any business agency in Jamaica.

That your memorialists do not desire to create any antagonism to the present Goverment of Jamaica, believing, as they do, in the high character, great ability, and strict equity of his Excellency Sir John Peter Grant. But your memorialists earnestly ask your Grace to bring the matter before his Excellency, with a view to a reconsideration of the Licensing Bill, and to so amend it as that it may be productive as a source of revenue, and not bear too heavily upon or be prohibitory of commmercial enterprise.

That your memorialists respectfully suggest that the basis for a licence revenue might be found in a moderate assessment on the annual value or rental of all buildings used for manufacturing and trading purposes, somewhat analogous to the licensing system of this country, and which would be a steadily increasing source of revenue.

That this memorial is presented solely on account of the earnest desire of your memorialists to remove all and every obstacle to the development of the resources of Jamaica, and to the introduction of all those mechanical improvements in agriculture so essential to its prosperity.

And your memorialists pray that the proposed Licensing Bill may be so amended that it will not affect injuriously any legitimate commercial undertaking.

ALFRED S. CHURCHILL, Chairman.
THOS. HUGHES, Deputy Chairman.
JOHN H. ESTCOURT, } Directors.
JOSEPH WOODIN, }

8, Finch Lane, London, E.C.,
April 12, 1867.

MEMORANDUM of Licensing Bill introduced by Mr. Rushworth, the Financial Secretary for Jamaica.

It enacts that every public company making five per cent. profit on its capital shall pay a licence of 100*l.*

That every merchant, factor, and wholesale dealer shall pay 50*l.*

That every retailer shall, where his sales amount to 60*l.* per week, pay 50*l.*

Do.	do.	40*l.*	do.	30*l.*
Do.	do.	20*l.*	do.	10*l.*
Do.	do.	10*l.*	do.	5*l.*
	and under	10*l.*	do.	1*l.*

That every founder, coppersmith, sugar refiner, use of steam propelled machinery for certain trade purposes, shall pay 10*l.*

And enacts that a variety of other licences shall be assessed.

The memorial will draw attention to the Bill, ask for a reconsideration, to be commended by the Colonial Secretary, and suggest another basis of assessment.

No. 25.

No. 25.

COPY of a DESPATCH from His Grace the Duke of BUCKINGHAM AND CHANDOS to Governor Sir J. PETER GRANT, K.C.B.

(No. 25.)

SIR, Downing Street, April 27, 1867.

I HAVE received your Despatch No. 36,* of the 9th ultimo, addressed to the Earl of Carnarvon, reporting the progress made in the investigation of claims to compensation for injuries sustained during the disturbance in 1865.

* Page 50.

I await your further report on the subject. In the meantime I wish it to be understood that the investigation must not be held as in any way admitting or even implying any claim to compensation from Imperial funds.

I have, &c.
(Signed) BUCKINGHAM AND CHANDOS.

Governor Sir J. P. Grant, K.C.B.
&c. &c. &c.

No. 26.

No. 26.

COPY of a DESPATCH from His Grace the Duke of BUCKINGHAM AND CHANDOS to Governor Sir J. PETER GRANT, K.C.B.

(No. 26.)

SIR, Downing Street, April 27, 1867.

I HAVE to acknowledge the receipt of your Despatch No. 64,* of the 25th of March, reporting that you had appointed the Reverend Geo. Cheyne, rector of St. George's, to the rectory of the parish of St. Ann's, in the room of the Reverend J. Davidson, deceased; and also that you had appointed the Reverend J. H. Murphy, of Spanish Town, to the charge of the rectory of St. George, with the rank and pay of an Island curate. * Page 53.

These and the other arrangements you mention in your Despatch seem to me unexceptionable, and I have to convey to you my approval of them.

I have, &c.

Governor Sir J. P. Grant, K.C.B. &c. &c. &c. (Signed) BUCKINGHAM AND CHANDOS.

No. 27. No. 27.

COPY of a DESPATCH from His Grace the Duke of BUCKINGHAM AND CHANDOS to Governor Sir J. PETER GRANT, K.C.B.

(No. 27.)

SIR, Downing Street, April 27, 1867.

I HAVE to acknowledge your Despatch No. 50*, of 23d March, upon the subject of the proposal of the Bishop of Kingston relative to the allowance to be made to partially incapacitated clergymen. * Page 52.

The proposal is not one which I should be prepared to sanction, and the Bishop has been so informed.

I have, &c.

Governor Sir J. P. Grant, K.C.B. &c. &c. &c. (Signed) BUCKINGHAM AND CHANDOS.

No. 28. No. 28.

COPY of a DESPATCH from His Grace the Duke of BUCKINGHAM AND CHANDOS to Governor Sir J. PETER GRANT, K.C.B.

(No. 57.)

SIR, Downing Street, June 21, 1867.

WITH reference to your Despatch No. 64*, of the 8th of December, I transmit to you, for your information and guidance in framing a general scheme of superannuation, the enclosed copy of a correspondence with the Lords Commissioners of the Treasury. * Page 25.

With reference to the sixth and following paragraphs of the enclosed letter from the Treasury, you will, without doubt, be guided by the observations of their Lordships in respect of professional men who have combined other professional employment with Government employment; and it may deserve your careful consideration whether such employments should have any pension or retiring allowance assigned to them, and should not be considered as wholly remunerated by the salary paid.

In respect to professional men whose time has been entirely occupied in the public service, I am of opinion that, whether retiring on the ground of age, ill health, or abolition of office, they should be considered as entitled primâ facie to the full benefit of the Superannuation Act and Treasury Minute of 1859.

In respect to the existing clergy, I have to refer you to my predecessor's Despatch No. 160,* of the 16th of February last. * Page 105.

I have, &c.

Governor Sir J. P. Grant, K.C.B. &c. &c. &c. (Signed) BUCKINGHAM AND CHANDOS.

JAMAICA.

Enc. 1 in No. 28.

Enclosure 1 in No. 28.

SIR, Downing Street, January 16, 1867.

1. I AM directed by the Earl of Carnarvon to transmit to you, for the consideration of the Lords Commissioners of the Treasury, the enclosed copy of a despatch* from the Governor of Jamaica in reply to a despatch†, of which also a copy is enclosed, on the question of establishing a general scheme of Superannuation in that Colony.

* Governor, No. 64, December 8, 1866, page 25.

† Secretary of State, No. 58, October 1, 1866, p. 96.

2. As a general rule the Governor proposes to adopt the scale of pensions sanctioned by the Act of Parliament, 22 Vict. cap. 26, and the 4th regulation of the Treasury Minute of the 14th of June, 1859; but he proposes, on grounds which appear to his Lordship to be just, to except from the benefit of that regulation a section of the existing civil service of Jamaica, including clerks of vestries, clerks of the peace, clerks of magistrates, and the clergy; and he proposes that no rector on the present establishment should receive a pension exceeding 200*l.*, and that no clergyman of inferior rank should receive a pension exceeding 150*l.*

3. The Earl of Carnarvon is of opinion that in granting pensions on the ground of abolition of office, and not on the ground of age or of incapacity, a distinction may frequently be drawn without injustice between ordinary civil servants and civil servants having a profession by which they can earn a living otherwise than by public appointments, such as clergymen, civil engineers, medical men, and solicitors; and that in granting pensions, whether on the ground of age, incapacity, or loss of office, a distinction ought to be drawn between officers who have derived their income exclusively from their public employments, and officers who have combined public employments with other avocations bringing emolument, and whose salary has not been fixed with reference to that consideration.

4. The Earl of Carnarvon proposes, unless their Lordships can suggest any objection, to authorize the Governor to frame a measure of superannuation founded on his proposals, but providing a reduced scale of pensions, if he shall find it practicable to introduce it, in the cases referred to in the preceding paragraph.

5. The Earl of Carnarvon would observe that the advantages of the proposed scheme should be extended to the officers of the late legislature of Jamaica, referred to in the letter from this department of the 28th of November last; and that the Governor should be instructed, that in the event of the re-employment of any person to whom a pension has been awarded, if his salary, together with his pension, should exceed the salary on which the pension was calculated, the whole pension, or a part of it, equal to the excess, if the excess be less than the pension, should remain in abeyance during his re-employment.

I have, &c.,

G. Hamilton, Esq. (Signed) FREDERIC ROGERS.

Encl. 2 in No. 28.

Enclosure 2 in No. 28.

SIR, Treasury Chambers, May 20, 1867.

1. The Lords Commissioners of Her Majesty's Treasury have had before them your letter of the 16th January last, on the question of the advisability of laying down a general scheme for the grant of pensions to officials connected with Jamaica.

2. Their Lordships desire me to state, for the information of the Duke of Buckingham and Chandos, that they see no objection to the proposal made by the Governor, that the scale of pensions provided in the Act 22 Vict. c. 36. should be adopted as the basis of a general scheme for retired allowances in Jamaica in the cases of all officers, whether in the public service of the Colony at present, or to be hereafter appointed to the service, who hold their offices practically during good behaviour, and whose offices or salaries are not dependent on temporary laws.

3. The general provisions of the previous Act, 4 & 5 Will. 4. c. 24., with the exception of the scale of pensions, should, however, be also considered applicable in awarding pensions in accordance with that scale, so far as they are not amended by the first-mentioned Act.

4. These include, as the Secretary of State will observe, a provision in case of re-employment as suggested in the letter from the Colonial Office of 16th January last.

5. My Lords concur in the recommendation as to the application of the 4th clause of the regulations laid down by the Minute of 14th June 1859 (copy of which is herewith inclosed) with respect to the grant of any additional amount on account of abolition of office, with the exception of the offices mentioned, viz.,—

Clerks to vestries,
Clerks of the peace,
Clerks to the magistrates,

whose appointments do not seem to be of so permanent a nature as to justify such an award.

6. With regard to medical and other officers, whose appointments may be considered as of a professional nature, my Lords are not prepared at present to give any definite instructions as to the manner in which their claims should be considered, until they are in possession of some further information as to the nature of these appointments.

7. In cases where the services of such gentlemen have not been given entirely to the public, but where they have been allowed private practice, it would clearly appear proper that no addition should be made on account of professional knowledge.

8. In this country, for the most part, a person in the public service is not considered entitled to superannuation, unless his whole time is given during official hours to his official duties; and my Lords apprehend, from the cases which have been already submitted for their consideration with respect to officers of the Assembly, &c., that some appointments may exist in Jamaica where the actual service given to the public may be scarcely sufficient to justify the award of any pension.

9. They request, therefore, that they may be furnished with further information as to the number and nature of those appointments, and how far the duties which the gentlemen holding them may have been called on to perform for the public may have interfered with their professional prospects. JAMAICA.

I am, &c.

The Under Secretary of State for the Colonies. (Signed) GEORGE WARD HUNT.

No. 30.

No. 29.

COPY of a DESPATCH from His Grace the Duke of BUCKINGHAM AND CHANDOS to Governor Sir J. PETER GRANT, K.C.B.

(No. 64.)

SIR, Downing Street, June 29, 1867.

I HAVE received your Despatch No. 92*, of 9th of May, forwarding an authenticated copy of the Law passed by the Legislature of Jamaica, No. 18 of 1867, "for "imposing licenses upon trades and business." * Page 83.

I have to signify to you Her Majesty's gracious confirmation and allowance of this law.

I have, &c.

Governor Sir J. P. Grant, K.C.B. &c. &c. &c (Signed) BUCKINGHAM AND CHANDOS.

LONDON:
Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

297

KING AGGERY.

RETURN to an Address of the Honourable The House of Commons, dated 8 March 1867; —*for*,

"COPIES of all CORRESPONDENCE between the Governor in Chief in *West Africa*, or the Administrator of *Cape Coast*, and Her Majesty's Government, relative to the Arrest and Deportation to *Sierra Leone*, without Trial, of KING AGGERY of *Cape Coast*:"

"And, of any previous CORRESPONDENCE relative to Differences with KING AGGERY."

Colonial Office, April 1867.

C. B. ADDERLEY.

(*Mr. Buxton.*)

Ordered, by The House of Commons, *to be Printed*, 5 *April* 1867.

SCHEDULE.

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17	16 Nov. 1866 (No. 57.)	Acknowledging No. 43, enclosing a Petition from King Aggery. Approves of the views conveyed to Colonel Conran.	93
18	23 Jan. 1867 (No. 66.)	Encloses Petition which was about to be signed by King Aggery when he was arrested, and which is signed by other Chiefs, with Enclosures. Requests to be furnished with a Report on these Documents.	94
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COPIES of all CORRESPONDENCE between the Governor in Chief in *West Africa*, or the Administrator of *Cape Coast*, and Her Majesty's Government, relative to the Arrest and Deportation to *Sierra Leone*, without Trial, of KING AGGERY of *Cape Coast*:—And, of any previous CORRESPONDENCE relative to differences with KING AGGERY.

Despatches from the Governor.

— No. 1. —

(No. 38.)

No. 1. Despatch from Governor Pine to Right Hon. E. Cardwell, M.P. 7 April 1865.

COPY of a DESPATCH from Governor *Pine* to the Right Honourable *Edward Cardwell*, M. P.

Government House, Cape Coast, 7 April 1865.

(Received, 15th May 1865.)

Sir, (Answered, No. 235, 23rd May 1865, page 89.)

I HAVE the honour to enclose a correspondence and other documents from which may be formed an idea of extraordinary and significant events which have occurred since the departure of the last mail, and which had well-nigh decided me that my departure by this was impossible.

The questions which have arisen were of a nature, as I conceived, to render their solution absolutely necessary before my report to Her Majesty's Government could be made, and I trust that in my desire to preserve the peace, and to prevent collision, at a moment when the fate of these settlements is so uncertain, and when the slightest accident might affect them, I shall not have incurred your displeasure for not having adopted a more prompt and decisive tone than is described in the narrative which I take up from the day in which I met my Executive Council, the 25th ultimo.

On the following day I met the King, by appointment, at the request of the Reverend Mr. West, determined that no slight obstacle should prevent an understanding; when, before opening the proceedings, I stipulated that the King should withdraw his insolent and offensive communications before I entered into the merits of the case.

He endeavoured, by every means in his power, to draw me into an explanation before conceding to my request, but I indignantly refused to do so, when he said he considered my first letter an insult to him, but upon production, I could not admit it to be so, although his observations were so offensive; and in order to bring matters to an issue, I said, "If Mr. West (present) does not consider me entitled to withdrawal and apology, I am content." Mr. West rose and stated his concurrence in my view, and after a discussion with his councillors, the King persisting in his refusal, I broke up the meeting, and avowed to him and his followers that I no longer recognised him as King of Cape Coast, giving notice that, as I was convinced that he did not express the feelings of the inhabitants of the protectorate, I should, at an extended meeting, give every man an opportunity of answering for himself.

Within three hours Mr. West waited upon me with a letter, which I accepted, and trusted was a proof of perfect submission on the vital question, and named the following day for the interview requested, at which I explained shortly, but clearly and emphatically, that I would encourage to the

utmost, courts of arbitration or conciliation for the King of Cape Coast, and others, whose powers I would define, who should be responsible to the British courts on appeal. I especially laid down the principle that a British Governor could not permit irresponsible tribunals exercising the powers, at all events, of imprisonment; that the demand of the King of Cape Coast, the only one within the protectorate who refused appeal, was, in fact, a severance from such protection, rendering the British tribunals all but useless, and depriving the inhabitants of the counsel, aid, and assistance which Great Britain accorded them.

I spoke at some length on these subjects, and urged all present that this was the moment of all others to decide whether I should report to you, Sir, that this portion of Western Africa decided to throw off the protection of England, as they could, some of them, read themselves that this question was being discussed by the nation.

The only reply I received was, that the King could not answer such a question without consultation with others, for which purpose he asked an adjournment of three days; up to Monday night, the 3rd instant, he failed to keep his appointment, when I reminded him of it without effect. In the meantime, the case of George Blankson Wood (the decision in which he expressed a wish to Mr. West to wait), had been given, awarding damages to the plaintiff with costs, amounting to the sum of 19*l.* 16*s.* sterling, which decree was served upon the defendant, the victim of the King's experiment, who refused to honour it by payment, and stated that he was not allowed by the King and his councillors to pay it, that the companies would not suffer it, and that if Mr. Finlason liked to break the town they were prepared for him.

During this period Mr. West had been vainly endeavouring to induce obedience to the decree, even if under protest, but without avail. The police force here does not consist of 10 men, and before the bailiff should be permitted to enforce the decree, I directed that the officer commanding, pending the swearing in of special constables, should be apprised that military aid, in support of the civil power, might be required: by an accident the consequent preparations were displayed somewhat prematurely, and whether this circumstance had any effect or not, Mr. West intimated to me that he had a hope that the King would still, if not pay the money, request my acceptance of a guarantee for the amount; and shortly after Mr. West handed me a document, which, however, I was unable to receive, being cumbered with conditions as to time, and probabilities inadmissible by me; but shortly another was tendered unconditionally, which I accepted.

I will close this despatch without fully entering into my reasons for coming to this conclusion, incidentally mentioning one, namely, that Mr. Finlason being the recipient, as advocate for the plaintiff, of the proceeds of the decree, is peculiarly obnoxious to the townspeople at the moment, who thus, blinded by prejudice, were unable, I fear, to take a fair view of the real question at issue, and capable of proceeding to the folly of violence and fearful results.

If my full and frank report of the whole case, on my arrival in England, shall even exonerate me in this matter, I shall be satisfied.

I have, &c.
(signed) *Richard Pine*, Governor.

Enclosure 1, in No. 1. Encl. 1, in No. 1.

Government House, Cape Coast,
25 March 1865.

EXECUTIVE COUNCIL.

Present:

His Excellency the Governor (President).

The Honourable	Colonel Conran - -	Members.
„	The Colonial Secretary -	
„	The Receiver General -	
„	F. M. Skues - - (Acting Queen's Advocate.)	
The Honourable	The Acting Chief Justice	Extraordinary Members.
„	A. B. M'Intyre - -	
„	F. C. Grant - - -	
„	Charles O'Callaghan -	
„	William Cleaver - -	
„	Grant Edwardes - -	

Dr. Skues took his oath and seat as Acting Queen's Advocate.

The following gentlemen, namely, the Honourables M. R. Barry, A. B. M'Intyre, F. C. Grant; and Charles O'Callaghan, William Cleaver, and Grant Edwardes, Esquires, having been specially summoned, took their oaths and seats.

The minutes of last Council were read and confirmed, and the Governor said:—"Gentlemen, my first duty is to introduce to you Major Jones, who has been appointed and sent out by Her Majesty as your future Lieutenant Governor, during my probable temporary absence.

"The first question for us to consider is, the application for leave of absence of our colonial chaplain, the Rev. Mr. Hassells [the reverend gentleman's letter was read]; and, considering that he has completed 10 years' service on the coast, I propose that one year's leave should be granted him. It is the opinion of this Council, that one year's leave of absence should be granted to the Rev. Mr. Hassells, to commence at his convenience, which will probably be the departure of the May mail for England."

The Governor said:—"I now come to the real matter for which I have summoned you here to-day. It is within the knowledge of every one present, that about a month ago I welcomed to Government House the new King of Cape Coast. On that occasion, we congratulated ourselves with having met with a Christian King and faithful ally; but only a few days had passed, when he showed symptoms of disaffection, arising out of an occurrence which took place at his court.

"I have now been here nearly two years and a half, and I have watched these country courts very narrowly, and not until now could I ever prove a case where cruelty and injustice had been done. Some days since, Mr. Finlason called on me, and said that one George Blankson Wood, his clerk, had been seized and imprisoned. I then put myself in communication with the King, and a lengthy correspondence grew up. Perhaps it would be as well for me to state here, that I have always approved of a country court of conciliation or of arbitration, with a right of appeal to the English court. The King claims a right to uphold his power and keep the court; and states his determination that it shall not be wrested from him as from his predecessor."

The Colonial Secretary here read the correspondence between the Governor and the King.

The Governor said:—"When the King refused to entertain my last communication, I wrote and asked the Rev. Mr. West to call on me; for as the King had been educated by the missionaries, I thought, perhaps, Mr. West would be able to use his influence, and explain to the King that he was wrong. Mr. West called on the King, and wrote to me, informing me of the result of his visit." Letters were here read from Mr. West to the Governor, stating that the result of his visit to the King was determination to follow out the course he (the King) had taken.

The Governor continued:—"I have told Mr. Finlason to take, if he thinks fit, his own proceedings. He says his intention is to take civil proceedings at our court. Now, should he do so, and obtain a decree or verdict in favour of George Blankson Wood, I must be prepared to support, if necessary, the decision of the court. I have invited the Chief Justice here, who is not a regular member of this Council, to hear what takes place at this meeting, naturally; not with a view to his legal opinion, which he may have to give in its proper place in court."

Correspondence between the Governor and Mr. Finlason here read.

It appears, gentlemen, that a native, I do not pretend a British subject, was taken before the King's court for Fetish practices, and imprisoned; that he ran away to our court at Gothic House; that Martin, the King's magistrate, was summoned; but upon the man's own confession that he was guilty of Fetish practices, our Acting Stipendiary Magistrate fined the said Martin 5 *l.* sterling only, for the assault, with my sanction and approval. The fine was not pressed; however, it was sent under protest, with a

letter from the King. Now it appears to me that the King admits the principle, by paying the fine. In Governor M'Clean's time this would have been a very simple matter. A few troops would have been sent, and the unfortunate George Blankson Wood brought away. Now I can do no such thing. I think you will agree with me, that the slightest disturbance at the present moment would be a very serious matter for me, and for many here present. All that I can say is, that the law must be respected. From time immemorial, the business of our court has been the sifting of appeals from the county courts to ours. If this thing is to be allowed, we must shut up our court; we cannot remain here under the circumstances.

The Governor then asked Colonel Conran if it were necessary to force the point, whether he would comply with a requisition for military aid, subject to the Queen's Regulations on such subjects?

Colonel Conran replied,—Most certainly.

The Governor continued. The case with which I have to deal is a much clearer one than that alluded to in the police court, since George Blankson Wood, in my opinion, is a British subject, born within 50 yards of the Castle wall and Fort, and therefore within the specified distance by right enjoyed by every British fort—the Colonel will put me right if I am not correct—and certainly, within the range of a gun, which has been considered the narrowest limit of British territory, and which the King only alleged was doubtful." Colonel Conran here admitted the correctness of the Governor's view. The Governor then went on to say, Whatever be the result of the King's insolent communications, and assumption of power, refusing to treat longer with me on the subject must be noticed in some way, and our actual position ascertained here. I have reason to believe, in fact, I am convinced, that the King's pretensions and conduct are not approved by his councillors or by his subjects, generally, and it is therefore necessary to ascertain the views of the large majority, and not allow one man to deprive the inhabitants of the Gold Coast, generally, of the boon of protection accorded them by Her Majesty. For this purpose, I propose to assemble a meeting to enable me to state to Her Majesty's Government, on my arrival in England, the feelings of the body.

The very slight reference which I made to the appointment of Major Jones, as Lieutenant Governor, does not convey, correctly, my instructions on the subject. My despatch is to the effect, that Colonel Conran, who has hitherto been our Lieutenant Governor, is expected home. Mr. Hackett, the Chief Justice, was on his way to England; hence the selection of Major Jones to hold the reins of government during my absence.

Mr. Grant was of opinion that no King should be irresponsible in this country.

Dr. O'Callaghan said, he was of opinion that the King had exceeded his powers, and that it was necessary to carry out the long-established custom and supposed law; he further stated, that he considered the King's conduct most reprehensible and unwarrantable.

Mr. M'Intyre considered that we had better go on as we had been accustomed to do for so many years.

The Colonial Secretary said, the law must be upheld.

Colonel Conran said, he thought the sooner the better, and every assistance should be given to the Governor.

Major Jones, on being invited by the Governor to express his opinion, said, he would carry out the law at once.

The other Members of the Council were unanimously of opinion that the Governor was right in the steps he had taken; and that the law should be carried out at once.

The Council then adjourned *sine die*.

(signed) *John Lovegrove*,
Clerk of Councils.

Enclosure 2, in No. 1.

Encl. 2, in No. 1.

Sir, Cape Coast, 11 March 1865.

I HAVE the honour to inform you that on my arrival from Anamaboe last night, I was informed by my clerk, George Blankson Wood, that a most outrageous and unprovoked assault was committed on him on the 5th instant, at the instance of a man named Joseph Martin, who arrogates to himself the position of magistrate in this town.

Before taking proceedings against this man, I am desirous of being informed by His Excellency the Governor, whether he is cognisant of the fact of this proceeding, and whether it is with his permission that judicial functions are exercised by ignorant and lawless people like Joseph Martin, to the prejudice of British jurisdiction.

My clerk does not acknowledge any authority, save that exercised by Her Majesty the Queen of England, and to that power he now appeals through me for redress.

I have, &c.
(signed) *Wm. Charles Finlason*,
Advocate, &c.

The Honourable Sidney R. Brown,
Acting Colonial Secretary, Cape Coast.

Enclosure 3, in No. 1.

Government House, Cape Coast, 11 March 1865. Encl. 3, in No. 1.

King,

I HAVE the honour to enclose copy of a letter this moment received from Mr. Finlason, describing proceedings said to be under your sanction, and approval for which, with all respect to your position, I feel it my duty to call upon you for a prompt, immediate, and complete explanation.

I am, &c.

King John Aggery, Cape Coast. (signed) *Richard Pine*, Governor.

Governor, Cape Coast, 11 March 1865.

ADVERTING to your letter of this morning, calling upon me for a prompt, immediate, and complete explanation, as to certain proceedings said to be under my sanction and approval, as described by Mr. Finlason, I feel bound to state to your Excellency that the constitution of my Government is such that I cannot act without the co-operation of my council.

Prior, therefore, to convening a council for that purpose, I shall be infinitely thankful if your Excellency will be good enough to place me in possession of the view you take of the matter, so that I may be enabled to make a complete answer.

I am, &c.

His Excellency Governor Pine, &c. &c. &c. (signed) *John Aggery*, King of Cape Coast.

Enclosure 4, in No. 1.

Government House, Cape Coast, Sunday Morning, 12 March 1865. Encl. 4, in No. 1.

King,

LATE yesterday evening I received your second letter of that date, informing me that the constitution of your Government is such that you cannot act without the co-operation of your council, and requesting me, prior to convening such council, to place you in possession of the view I take of the matter, so that you may be enabled to make a complete reply.

So anxious am I that there should be perfect understanding between us, that I reply, on this, the Sabbath morning.

The proceedings in question were taken, as I believe, in presence of your council, and therefore the observations I now make, apply to that body; and as its members are interested, I rely upon your own deliberate judgment in the matter, my view of which is as follows:

That the alleged proceedings complained of, and all others arising out of, or connected with them (against which I solemnly protest), are unlawful, unconstitutional, unwarrantable, and in gross violation of the compact, understanding, spirit, and usages existing between the Government of Her Most Gracious Majesty Queen Victoria, and the tribes under her protection, over a portion of whom you rule as King, in which capacity you have so recently before me, as her representative, vowed allegiance, respect, obedience, and alliance to my Sovereign.

The subject under consideration is so pressing and important, that I urge a reply to-morrow.

I am, &c.

King Aggery. (signed) *Richard Pine*,
Governor and Commander in Chief of Her Majesty's Forts and Settlements on the Gold Coast.

Enclosure 5, in No. 1.

Governor, Cape Coast, March 1865. Encl. 5, in No. 1.

I REGRET that the necessity for my stopping to take counsel before action should have in any way caused your Excellency inconvenience.

I now feel at liberty to make a definite answer to your Excellency's letter of the 11th of March 1865.

I take leave to inform your Excellency that it has been proved, beyond the slightest shadow of doubt, that George Blankson Wood was, during certain proceedings in which he was a defendant, found guilty of a most aggravated and unprecedented contempt of court; that it fell to the lot of the sitting magistrate (Mr. Joseph Martin) to order George Blankson Wood to be committed for the offence; that George Blankson Wood proved himself

himself to be so daring as to resist and withstand the constables in the execution of their duty, namely, that of removing George Blankson Wood to prison; but that, notwithstanding the efforts of the constables to remove George Blankson Wood as ordered, George Blankson Wood made his escape. The struggles arising from the resistance offered, I presume, must therefore be the so-called outrageous and unprovoked assault complained of. A description of the proceedings is given in the enclosed.

It is true that only the law, and not even the Sovereign or any functionary of Government, can imprison the person of a subject; but in all nations, civilised or savage, it has ever been ordained in jurisprudence, that the dignity of the court should be upheld. Contempts come within the catalogue of punishable offences, and the sitting judge or magistrate is competent to award penalty where penalty is due.

Mr. Joseph Martin was raised to the bench, not to do wrong, but to punish the doers of wrong. George Blankson Wood, like the viper, then, has himself to thank for having the hardihood to bite against a file. In the case in question, Mr. Martin ordered George Blankson Wood to be imprisoned for the offence in question, and the constables or peace officers used force when resistance was offered by George Blankson Wood: Mr. Joseph Martin holds my commission as magistrate, and I have confidence in his ability and integrity. Mr. Joseph Martin, however, cannot well be expected to have received instructions, nor expected to have pursued certain studies at an inn of court in London. Thus he may be ignorant and lawless, as far as the laws of England are concerned, but I am satisfied that he is not without a knowledge of the common law of the country which has given him birth, and that he is not inexperienced or unable to determine according to the dictates of equity and reason; nay, he has a knowledge of the laws, customs and rights of the people in this country necessary for the administration of justice.

If, as your Excellency, in your letter of Sunday, but dated the 13th instant, truly observes, that I have a right as King to rule over my country, I know not in what way the exercise of that prerogative can act prejudicially to British jurisdiction. I doubt not, however, that in adopting the course which your Excellency has felt it your duty to pursue, equitable regard has been had to such of our laws, customs, and usages, as are not repugnant to Christianity and natural justice.

I am at a loss to account for the very mysterious manner in which George Blankson Wood appears to be encouraged and countenanced to throw off the allegiance he owes to me as his Sovereign. I cannot say whether, in the enjoyment of the office of clerk, which George Blankson Wood holds under Mr. Advocate and Attorney Finlason, or whether in his enjoyment of other relationship with Mr. W. C. Finlason, as well as other ill-disposed persons, rebellion has been imperceptibly preached to the favoured George Blankson Wood; at any rate, there is a mistake somewhere, and the whole of the inquiry seems buried in one mass of mystery.

I find in your letter, dated the 13th instant, that your Excellency enters into matters altogether new and foreign to those contained in your letter of the 11th instant. The alleged proceedings complained of in the letter are confounded with all others arising out of or connected with the proceedings in question (that is to say, originally complained of), and you are pleased to protest against them as unlawful, unconstitutional, unwarrantable, and in gross violation of the compact, understanding, spirit, and usages existing between the Government of Her Most Gracious Majesty Queen Victoria, and the tribes under her protection, over a portion of whom I rule as King. But the compact, understanding, spirit, and usages spoken of, are left still so undefined and in the dark, that I am not wiser to-day than I was yesterday. If my memory serves me well, your Excellency, among other things, stated (on the occasion of the State visit I paid to you as the representative of Her Most Gracious Majesty Queen Victoria) that the Queen of England is in alliance with my country, that you are the Queen's representative, and that as a representative it was intended that you should be my adviser, and also expressed yourself as being happy to tender me any advice in your power.

If this time your Excellency has thought fit and proper to question and protest against the constitution of my Government and my policy, I trust your Excellency is not unprepared to set bounds to my jurisdiction as King, and point out where I should go, where I should not go.

Your Excellency amuses me by the observation you make on the State visit before alluded to. I consider that I was presenting my respects to the Queen of England when I bowed before your Excellency as the Queen of England's representative. But the very great Queen of England herself cannot but be modest to make me feel my inferiority by letting me know that Her Majesty, in her dignity, watches closely anything I may have done out of gratitude for benefits received at her gracious hands. But, irrespective of what has been mentioned, it must be borne in mind that I have not too long occupied the throne to forget civility.

Your Excellency presses for an early reply, because the subject under consideration is pressing and important, but I regret the importance of the subject should be such as to cause me to stop to take counsel before action.

Before concluding this letter I must inform your Excellency that, out of the body which composed my Council, there were only two that sat with the magistrate, so that all the members cannot be considered as interested in the question; and I would here particularly observe that the conduct and judgment of my Council are in unison with the constitution,

stitution, customs, and manners of the country which are not contrary to the well-doing of the community, and which are not beyond the limits of justice.

I am, &c.
(signed) *John Aggery,*
King of Cape Coast.

His Excellency Governor Pine,
&c. &c. &c.

Enclosure 6, in No. 1.

Colonial Secretary's Office, Cape Coast, Encl. 6, in No. 1.
14 March 1865, 1.35 P.M.

Sir,

WITH reference to my letter of the 11th instant (C. 315), I am desired by the Governor to inform you that, from its date until the moment, Sunday inclusive, his Excellency has been in communication with the King of Cape Coast.

The King having this morning avowed his responsibility in the proceedings of which you complain, and asserting his authority, has compelled him to deliberate most seriously upon the various questions raised by the present position of affairs.

It will be the Governor's care to have conveyed to you, without delay, his decision, so that, if possible, you may be enabled to take such steps as you may desire, and his Excellency approve, prior to the departure of the homeward mail.

I have, &c.
(signed) *Sidney R. Brown,*
Acting Colonial Secretary.

W. C. Finlason, Esq.,
Advocate and Attorney, Cape Coast.

Enclosure 7, in No. 1.

Cape Coast, March 8, 1865. Encl. 7, in No. 1.

UPON the examination of the case before me and my Council, it transpired as being the conduct of George Blankson Wood, as represented by Mr. Finlason, that a most outrageous and unprovoked assault was committed on him during proceedings in which George Blankson Wood was a defendant, found guilty of a most aggravated and unprecedented contempt of court. Mr. Joseph Martin, the sitting magistrate, made an official complaint to me; and, upon investigation, it was proved against George Blankson Wood, that, upon his entrance in the court, he addressed the sitting magistrate in language most disrespectful, to this purport: that, "I have come; what you have to tell me, tell me, that I may go. My master has sent me; look at the paper he sent me with;" then he dashed the paper on the table. Mr. Martin, in a mild tone, requested him to wait until his time come on, but he insultingly repelled his request, and said that, "Before I wait, I better be imprisoned." Mr. Martin, in his usual mild manner, told him that he could not do so until he is convicted of the charge brought against him, but he would by no means agree; having retired for a while, he came and stood before the sitting magistrate, and in a most contemptible manner repeated those same words. Mr. Martin told him that if he still persisted in going to gaol he would do as he desired. Thereupon Mr. Martin gave orders to that effect. No sooner this order was given than George Blankson Wood began to extricate himself from the constables, and thereby a struggle began to ensue; his relatives, who were at this time with him, about five in number, fell upon the constables and some of the officers of the court, and took him away from their custody. Notwithstanding the most brutal assault perpetrated by them upon some of the officers of the court, George Blankson Wood, at several instances, took hold of chairs and attempted to shy at some of the officers of the court.

(signed) *Joseph A. Fynn,*
For King Aggery.

Enclosure 8, in No. 1.

Government House, Cape Coast, Encl. 8, in No. 1.
14 March 1865.

King,

IN reply to your letter received this morning, but without date, I will not follow you into the lengthened details in which you think fit to indulge, but proceed at once to the important disclosure you have made, that the wrongs I have brought under your notice are avowed, sanctioned, and approved by you, and I am thus placed in a position directly at issue with you.

I never have, and never will, while I have the honour to hold my position here, acknowledge a court constituted as you describe, or recognise its proceedings, or that of any other which is irresponsible, and not amenable to appeal to the British judicial authorities.

You must be aware that, assuming for an instant your court to be such, and its pro-

ceedings sanctioned, there is an appeal, and such has been the continued practice for many years; the decisions of the Kings and Chiefs of Cape Coast and of the interior, have been and are invariably subject to reversal; and in such case such Kings and Chiefs are, if of influence, invited, and, if failing attention, summoned to our courts; and at this very moment a powerful King of a large district has most promptly obeyed an invitation to confront one of his Chiefs, who has complained of him.

It is notorious that since my assumption of this Government I have set my face against irresponsible courts within the Protectorate, and little did I suppose that so immediately after your being confided with the office of King, as constituted under the supervision and protection of Great Britain, you would be the first to give me proof, which I have long sought in vain, of proceedings so unconstitutional as those now brought to light.

It may be as well to inform you, that I hold George Blankson Wood to be a British subject; and this fact, coupled with the avowal which I have ever expressed, that I will permit and encourage what is called a country court, in every town of importance, of the nature of a court of arbitration or conciliation, and which I am prepared still to encourage and protect, subject to certain conditions, may induce you, King, to consider and accept the following propositions:

First. I require that all the proceedings and all witnesses be transferred from your alleged court to one composed of my judicial assessor and myself, without loss of time.

Secondly. That all proceedings which I deem unlawful be cancelled and annulled, and that I then carefully and impartially enter into the case, and decide upon the merits from the commencement of this supposed offence committed by George Blankson Wood.

Thirdly. That so soon as the pending matter is disposed of, an interview take place between yourself and me, with a view to our coming to a mutual understanding on the subject of the establishment of a court, to be called the "King's Court," upon such a basis as I can recognise.

Awaiting your prompt reply, in order that I may know whether or not I am to report to Her Majesty's Government, by the mail packet hourly expected, a state of things which I would gladly dispose of on the spot, irrespective of any other steps it may be incumbent upon me to take.

I am, &c.

King Aggery, Cape Coast. (signed) *Richard Pine*, Governor.

Enclosure 9, in No. 1.

Encl. 9, in No. 1.

Governor, Cape Coast, 16 March 1865.

The event which it now appears your Excellency has been hitherto in vain seeking to catch hold of, for purposes which I do not know, which I cannot guess, but which is known only to God, seems to have arrived or about to arrive; and I am accused in your letter of the 14th of March 1865, of having made the important disclosure that the wrongs you have brought under my notice are avowed, sanctioned, and approved by me.

It appears that while your Excellency acknowledges my right, as King, to rule and govern my country, your Excellency is not pleased to recognise my court and its proceedings, because, as alleged, it is irresponsible, and not amenable to appeal to the British judicial authorities. But the King's Court is not irresponsible, and not amenable; from the King's Court an appeal lies to the King and Council, whose decision, it is laid down, is final.

As a Christian, I have already set myself to reform, to some extent, the common law of the country, but the laws and customs of the country cannot all be at once displaced and replaced without the effusion of blood, and I feel it but madness on my part to attempt at civilising the people in one day. Mr. Joseph Martin has religion to help him in determining between man and man. Moreover, there is Mr. James R. Thompson to assist in cases of extreme nicety.

Here I am compelled to observe, that in the days of Governor Captain Maclean, the Governor, in a very peculiar, imperceptible, and unheard-of manner, wrested from the hands of our Kings, Chiefs, and head men, their power to govern their own subjects. The Governor, placing himself at the head of a handful of soldiers, had been known himself to travel to the remotest parts of the interior, for the purpose of compelling Kings, Chiefs, and head men (through fear of man or other feeling) to obey his Excellency's summons or to comply with his Excellency's decrees. A blow was thus firmly, slowly, and persistently struck, and the supreme authority, power, and even influence of the Kings, Chiefs, and head men gave way to the powerful Governor Maclean (I shall not enter into details, or I shall be assailing the sanctuary of the dead). A white face, a red jacket was, in consequence, a terror on the Gold Coast, and very Kings were frightened into making concessions, compliances, and obeisances as degrading in the regal office as affecting the royal character, authority, and income. In order to gain his Excellency's point, the Governor spared no efforts to adopt measures calculated to breed disaffection, disloyalty, disobedience, and consequent estrangement in the subject towards his lawful King. A King was regarded as not above the reach of the then established court of justice, and any one individual subject was placed on a footing with his Sovereign as equally as the "King is less than all;" perhaps forgetting that it is only when the King has violated the fixed

fixed and essential principles of the constitution of a nation that the people, in the absence of any higher tribunal to appeal to, might lawfully do themselves right." The Governor constituted himself as the people; complaints of every description from the subject were entertained against the King; and the King was not unfrequently placed in the dock and fined or imprisoned, or (hardly credible) flogged for trivial grievances; many a subject was encouraged and countenanced to throw off with impunity their very allegiance, an allegiance which could not well be disowned and ignored and denied without endangering the security of the King; and alas, subsequent events have recently so far conspired to press the Kings and Chiefs well nigh to throw the nation after their last power and influence. Hence the threatened overthrow of the rights of the native Kings and Chiefs; hence "the servility and delusion and puerile confidence in Governors, and the indifference to liberty deep-seated in the natives here and on the Gold Coast generally;" and hence the alleged continued practice (good or bad) in vogue, viz., that "the decisions of (as alleged) the Kings and Chiefs of Cape Coast and of the interior have been and are invariably subject of reversal, and in such case such Kings and Chiefs are (if of importance) invited, and, failing attentions, summoned to our courts; and at this very moment, a powerful King of a large district has most promptly obeyed an invitation to confront one of his Chiefs who has complained of him."

As a Christian, pride of life is a thing I have in the strength of grace repulsed from my thoughts: but, for the sake of argument, I cannot refrain from mentioning to your Excellency that I descended from the house of the Kings and founder of this town now known under the name of Cape Coast. Not that I seek not to recognise your Excellency in the quality in which your Excellency introduced yourself to me on the occasion of the state visit I paid to you at the Government House; but I appeal to facts to prove that I am not ignorant nor unconscious of my rights. Providence spared me to come to years before my late father died, so that I inherited all the available advantages of first-rate tradition.

Your Excellency admits that the proceedings which you appear to have found, and of which you have been complaining, are of your own seeking. It is no wonder, then, that your Excellency should be "thus placed in a position directly at issue with me," as you say. But I am afraid that in the heat of argument we might only be "like men tied back to back, close joined, and yet we cannot see one another." We might have all along judged according to our own senses. Indeed we are of a contrary opinion, and yet either I or you presume to have right each on our side, although reason, that has always been faithful, never had two faces. There is no knowing what has betrayed myself or your Excellency into, perhaps, a mistake. That is difficult to determine. But it is only evident that very best things are sometimes slighted for mere antiquity, though founded upon authority and reason. If force governs the world and might is right, I might as well refrain from discussing the question in its present garb. If all the proceedings and all witnesses, as required, be transferred from my Court to your Excellency and your Judicial Assessor, your Excellency or your Judicial Assessor may be but party and judge.

In all that I say I have had regard for the truth; and yet, after the very full answer I made, your Excellency can but take the offence which George Blankson Wood committed as a supposed one. Partiality and carelessness seem indirectly to be levelled against the persons who entered into the case, but whose names are not mentioned. The Court which I described in my letter of Tuesday the 14th instant, is not irresponsible; it is responsible to the King for its acts. Well has it been said, over and over again, that Cape Coast, in the eye of the law, is not British territory. It is, therefore, necessary for me to be given to understand whether the proceedings complained of as unlawful are repugnant to Christianity and natural justice.

For your Excellency to expect me to comply with your second proposition is to exact of me beyond my ability.

Your Excellency's letter under acknowledgment forebodes that my power as King is circumscribed, and even about to be wrested from my hands, and that I am shorn of even my influence. It is enough for me to gather strength to bear the misfortune of a threatened loss of my power and authority and influence, without being persecuted.

Your Excellency's third proposition provides "that so soon as the pending matter is disposed of, an interview take place between yourself and me with a view to our coming to a mutual understanding on the subject of the establishment of a Court to be called the King's Court, upon such a basis as I can recognise." But the King's Court is not of yesterday. From time immemorial it has existed, and it even existed before Cape Coast Castle itself was erected, and the ground on which the castle stands was originally taken from my ancestor at an annual rent.

In the Report of Her Majesty's Commissioner of Inquiry into the state of the British Settlements on the Gold Coast, &c. in the year 1841, we have the following words: "All the buildings which serve for the Governor's residence, the barracks, the hospital, and the prison, are contained within the walls of the castle; and these, with the exception of the two small forts of the neighbouring heights, constitute the only territory belonging to the British Government."

Dr. Madden continues, "It is a question whether the inland range of the guns of the castle ought to be considered the limits of our territory, and whether the town of Cape Coast, which is within gun-shot of the castle, ought to be considered British territory or not;" and I even stood by my late father, Joseph, when his Majesty, "with a number of

the headmen and cabboceers of the town, argued, in the presence of the Doctor, very strenuously against the opinion of the natives of Cape Coast being considered as subjects of the English Sovereign;" and "it was not without," as the Doctor himself admitted, "reason on our side." We have already protested against the subject of the inhabitants of Cape Coast, and other places, being regarded as British subjects; and the position of the so-called Cape Coast settlement has been as recently as 1864 discussed in Parliament; and it is understood that "the only ground claimed by the British Government is that within the walls of the castle," &c. &c. &c.

Again, "as to the domestic affairs of the natives;" Mr. Chichester Fortescue, a Member of Parliament, and a member, also, of Lord Palmerston's Government, tells us, in his speech of 17th June last, that "the Government did its best to reform our ways without, however, forcing their laws and usages upon us."

On what grounds your Excellency holds George Blankson Wood as a British subject I cannot say, and, perhaps, I dare not ask.

If, as the Queen of England's representative, you are intended to act as my adviser, and if, as a special adviser, you had acknowledged George Blankson Wood as my subject, and tender counsel where the proceedings complained of were repugnant to Christianity and natural justice, I might have conscientiously fallen into your views, and might mend, inasmuch as I regard, fear, and love the laws of God, which it is my earnest resolve to maintain.

I cannot but apprehend that serious results are likely to arise from the policy adopted by your Excellency and myself, and for this reason I feel it a duty I owe to God, to my country, and to the gracious Sovereign whom you represent, to solemnly and sincerely protest against "any steps it may be incumbent," as you are pleased to say, "upon you to take."

Meanwhile I feel obliged to refer the matter to Her Majesty's Government in England, especially as your Excellency intends to report, by the mail packet hourly expected, on the state of things here, and especially as we understand a Committee of the House of Commons will be assembled this Session, the object of the Committee in question being to inquire into the state of affairs on the Gold Coast.

Pending an answer from Her most gracious Majesty's Government, any further correspondence between your Excellency and myself on the point at issue, I pray, must be stopped.

I am, &c.

(signed) *John Aggery*,
King of Cape Coast.

His Excellency Governor Pine,
&c. &c. &c.

P.S.—It has ever fallen to my lot, either as an evangelist or a civilizer, to be persecuted. As the first preacher, who openly and fearlessly proclaimed the truth as it was in our Lord Jesus Christ, I was thrown precisely in contact with Governor Captain Maclean, and I was in consequence detained in his Excellency's gaol for the purpose, evidently, of retaining the people in superstition and ignorance; an attempt on the part of his Excellency at defeating the very cause of God. And now, perhaps, because I have been literally honoured by the God of truth by being raised to hold the reins of the government of my country, your Excellency seems indignant at the thought of my having undertaken to restore, or rather placed on surer grounds, amongst other things, the waning dignity of my court.

And I only trust that while I refer these matters or things to the Queen of England and my special benefactress, your Excellency will not in any way throw obstacles, if not opposition, in the way of civilization, as gradually, but firmly, coming by Christianity; and I entreat you to believe (as hitherto you have appeared to disbelieve my words) that had not your Excellency placed yourself in the threatening posture you have assumed, I would have been able, as a Christian King, before now to put down (by means, perhaps, unknown to yourself personally) such and such things as marketing and fishing on the Lord's day.

Your Excellency while on the platform on the very day of my coronation spoke favourably of me as a Christian King, and even solemnly promised to promote the cause of God as far as lay in your power.

I feel quite sure that Christian England will congratulate me, and even leap for joy, when the good news of my being called by Providence to rule as King reaches England; but your Excellency has spoken fair words and acted otherwise, and actions speak better than words.

(signed) *J. A.*

Enclosure 10, in No. 1.

Encl. 10, in No. 1.

Sirs, Cape Coast, 22 March 1865.

I HAVE the honour to inform your worships that in the case The Queen, on the prosecution of Yow Yarcoo, against Joseph Martin, for having assaulted the prosecutor, which case was closely and carefully sifted by your worships at your two successive sittings, and found and expressed in the open court, that the said Joseph Martin has wisely and prudently decided the case equivalent to his judicial capacity and power vested in him by me

me and my seven companies of Cape Coast; but the fine imposed upon him was owing to the nature of the charge against the prosecutor being rather too high for the court in which he Joseph Martin was a magistrate.

As the settlement of similar cases had been existed in this country for many years, under these circumstances, therefore, I beg to send the fine of 5 *l.* imposed upon the said Joseph Martin under a solemn protest.

I have, &c.
(signed) *Aggery*,
King of Cape Coast.

To their Worships,
Dr. M. Skews and C. O'Callaghan.

Enclosure 11, in No. 1.

Sir, Cape Coast, 28 March 1865. Encl. 11, in No. 1.

Reverends Mr. West and Richmond, with Mr. Grant, came from the schoolroom, where I had an interview with your Excellency and some of your Council, and have explained matters to me in a light that I did not before see them. I confess that the language used in my letters to your Excellency are insulting and offensive, and I regret I did not retract when your Excellency asked me to do so; but, as I said before, I did not understand them in the light I now see them. I do therefore send you, by the hands of my true friends the missionaries and Mr. Grant, this letter, retracting what has been written, and humbly apologise, asking your Excellency to accept the same, and to allow the relations betwixt us to be as they were before the correspondence so offensive commenced.

Asking your Excellency to be pleased to appoint a day and hour when I may meet your Excellency, to talk over the matter in dispute, in order to an amicable arrangement and future good understanding,

I have, &c.
(signed) *Aggery*,
King of Cape Coast.

His Excellency, Governor Pine.

Enclosure 12, in No. 1.

(L. 85.)

Government House, Cape Coast, Encl. 12, in No. 1.
28 March 1865.

King,

In reply to your letter of this day, just received, presented to me by the Reverends Mr. West and Richmond, the Honourable F. C. Grant, and Mr. Joseph A. Fynn, I am happy to be enabled to accept it as a confession that the language used in your recent communications to me were insulting and offensive.

Your expression of regret that you did not retract such observations, when asked by me to do so, a proof that you desire as far as possible to tender amends, I fully and freely accept.

I congratulate you and myself on the possession of the good friends who have induced me to re-open relations with you at so late an hour.

I am of opinion that the sooner a full and perfect understanding may be come to, the better, and with that view I name to-morrow, at noon, to meet you in Government House.

I am, &c.
(signed) *Richard Pine*,
Governor and Commander in Chief
of Her Britannic Majesty's Possessions on
the Gold Coast.

To His Majesty King Aggery,
Cape Coast.

Enclosure 13, in No. 1.

Sir, Cape Coast, 31 March 1865. Encl. 13, in No. 1.

We, the undersigned natives of this town, representing the companies and people generally, have been made acquainted with the state of the affairs between your Excellency and our King, with regard to certain proceedings which were complained of by Mr. Finlaison, and for which your Excellency felt it your duty to call upon our King for a prompt, immediate, and complete answer.

We find the matter has been discussed in a series of letters from and to your Excellency and our King. In the course of the correspondence, your Excellency stated, in your letter of the 14th March, that, awaiting your prompt reply, in order that I may know whether or not I am to report to Her Majesty's Government, by the mail packet hourly expected, a state of things which I would gladly dispose of on the spot, irrespective of other steps that may be incumbent upon me to take; and we find in our King's letter, dated

dated the 16th March, that our King replied, in the following words: "I cannot but apprehend that serious results are likely to arise from the policy adopted by your Excellency and myself, and for this reason I feel it a duty I owe to God, to my country, and to the gracious Sovereign whom you represent, to solemnly and sincerely protest against any steps it may be incumbent, as you are pleased to say, upon you to take. Meanwhile I feel obliged to refer the matter to Her Majesty's Government in England, especially as your Excellency intends to report, by the mail packet hourly expected, on the state of things here, and especially as we understand a Committee of the House of Commons will be assembled this Session, the object of the Committee in question being to enquire into the state of affairs on the Gold Coast. Pending an answer from Her most gracious Majesty's Government, any further correspondence between your Excellency and myself on the point at issue, I pray, must be stopped."

Notwithstanding that, we find your Excellency sought an interview, through Rev. Mr. West and others, with our King, which was brought about on the 28th March, when it was necessary that our King should make an apology of the nature of which we do not know, and we cannot understand.

To our surprise, a summons has been served upon one of our magistrates (Mr. Joseph Martin) at the instance of George Blankson Wood, in spite of your Excellency's denial as to having assumed, or intending to assume, a threatening posture towards our King.

We do therefore solemnly protest against Mr. Joseph Martin's appearing in the Judicial Assessor's Court, and against the case being in any way entered into, pending our deputation being despatched by us to England to have the case finally settled, especially as your Excellency yourself, we are informed, is going to England by the mail which leaves here on the 14th proximo.

We have, &c.

His Excellency Governor Pine,
&c. &c. &c.

(signed) *Cofee + Arboo.*
Quaw + Ashun.
Quabinna + Mensah.
Quashie + Quarquah.
Cofee + Arhin.
J. C. Degraft.
John + Halman.
Their marks.

Enclosure 14, in No. 1.

Encl. 14, in No. 1.

(L. 88.)

Government House, Cape Coast,
31 March 1865.

Sir,

I HAVE received a letter in the nature of a protest against the proceedings in the case of Wood *v.* Martin.

I so fully explained to all present in the Government House, that a protest has not the effect of staying legal proceedings, that I can only repeat, the law must take its course, and that all persons are bound to respect and obey it.

(signed) *Richard Pine*, Governor.

Enclosure 15, in No. 1.

Encl. 15, in No. 1.

Cape Coast, 31 March 1865,
10.10 o'clock A.M.

Sir,

IN consequence of his Excellency having openly sanctioned the proceedings of a Mr. Finlaison on behalf of George Blankson Wood against one of our magistrates; and as his Excellency has already deemed all the proceedings as unlawful, I respectfully, but solemnly protest against Mr. Martin's appearing in the Judicial Assessor's Court.

I have, &c.

His Honour M. R. Barry,
Acting Chief Justice.

(signed) *Aggery*,
King of Cape Coast.

Enclosure 16, in No. 1.

Encl. 16, in No. 1.

Chief Justice's Chambers, Cape Coast,
31 March 1865.

King,

YOUR protest, which I just received, cannot affect the proceedings of my court, and the case you allude to will be gone into in due course, should the plaintiff desire it.

I remain, &c.

To the King of Cape Coast.

(signed) *Michael R. Barry*,
Acting Chief Justice and Judicial Assessor.

Enclosure 17, in No. 1.

Sir, Cape Coast, 5 April 1865. Encl. 17, in No. 1.

I HAVE the honour to inform your Excellency that in the matter of George Blankson Wood *v.* Joseph Martin, I offer myself as responsible for the payment of the fine and costs imposed upon the defendant, and to be paid under protest, whenever I am called upon.

I have, &c.

His Excellency Richard Pine, Governor, &c. &c. &c.

(signed) *Aggery*, King of Cape Coast.

Enclosure 18, in No. 1.

(L. 96.)

Government House, Cape Coast, Encl. 18, in No. 1.

King, 5 April 1865.

IN reply to your letter just received, offering yourself as responsible for the payment of the fine and costs, in reality damages and costs, in the matter, George Blankson Wood *v.* Joseph Martin, to be paid whenever called upon, I accept your guarantee; I note your protest, but I do not consider it to affect the case.

I have taken upon myself an immense responsibility in doing this; I candidly confess, not for your sake so much as for others in whom I feel deeply interested, who must be more or less affected by the course you have pursued, which it is my duty to bring under the cognisance of Her Majesty's Government.

You will understand that the whole of the amount, 19 *l.* 6 *s.*, will be paid over to Mr. Finlason, for so much decreed to his client, G. B. Wood, and that I feel convinced that I shall have to call upon you to reimburse me that amount.

I take too deep an interest in this Protectorate to permit one man to decide the future fate of so many dependent upon you.

I am, &c.

King Aggery, Cape Coast. (signed) *Richard Pine*, Governor.

Enclosure 19, in No. 1.

(L. 95.)

Government House, Cape Coast, Encl. 19, in No. 1.

Sir, 4 April 1865.

I HAVE the honour to inform you that I have every reason to believe that there will be an attempt made on the part of the King of Cape Coast to resist the execution of the law, in the case of a decree lately made in the Supreme Court.

I have, therefore, the honour to request you will be good enough to have a force of 100 men under arms within the Castle, ready to turn out at a moment's notice in aid of the civil power, and that you will order all the guards and sentries to be doubled.

I have, &c.

The Hon. Colonel Conran, Commanding the Troops, &c. &c. &c.

(signed) *Richard Pine*, Governor.

Enclosure 20, in No. 1.

(L. 99.)

Government House, Cape Coast, Encl. 20, in No. 1.

Sir, 6 April 1865.

I HAVE the honour to acknowledge receipt of your letter of yesterday's date, covering copy of one from the King of Cape Coast, and your reply thereto, and have to express my gratification that your tone and style towards King Aggery happily confirmed the position I had myself taken towards him with reference to a similar letter addressed to myself, which I treated with still greater contempt, "silence."

I have, &c.

The Hon. Colonel Conran, Commanding the Troops, &c. &c. &c.

(signed) *Richard Pine*, Governor.

Enclosure 21, in No. 1.

Encl. 21, in No. 1.

(No. 98.)

Government House, Cape Coast,
6 April 1865.

Sir,

With reference to my letter of the 4th instant, I have the honor to express my regret that I fear a needless duty has been imposed upon you and your officers by a misapprehension of my wishes on the subject of my probable want of military aid. The letter in question, although signed by me, was written and presented to me for signature without my perusal, on account of extreme illness, I deeming it to be simply and preliminary intimation that I might subsequently have to trouble you in the matter.

It was only a short time after that I learned from the Colonial Secretary, Mr. Brown, that the troops were actually under arms, as requested by him on my behalf; and, so soon as I discovered the fact, I requested a suspension in my private note of the steps which had been taken, inasmuch as they were at that moment premature, all civil proceedings not having been yet resorted to, and especially resistance not having been made.

My idea was that you had been apprised only of the prospect of mischief, and had not received an actual call for it.

On perusal of the letter, I perceived that Mr. Brown used the expression under arms, whereas I was informed that great alarm existed in the town, in consequence of outward preparations; and the subsequent insolent demand for information from the king upon you and myself lead me to the supposition that an exaggerated statement of the real difficulty exists, and may go forth, against which I was desirous of forewarning you only.

I doubt not for one moment but you took such precautions as your discretion dictated to you, and as the letter in question called forth; and I desire only to be understood that the necessity for action had not arisen by reason of the preparatory civil steps not being complete.

Were it not for the trouble, unwillingly caused, I should scarcely regret the circumstance, because you will, I trust, permit me to say that the prompt and efficient display of military preparations reflects the highest credit on yourself and those under your command, and may probably have led to the peaceful solution of a question in this part of the world, upon which all eyes are at this moment turned.

I have, &c.

The Honourable Colonel Conran,
Commanding the Troops.

(signed) *Rich. Pine*, Governor.

— No. 2. —

No. 2.
Governor Pine to Right Hon. E. Cardwell, M.P.
22 May 1865.

Extract from a DESPATCH from Governor *Pine* to the Right Honourable *Edward Cardwell*, M.P., dated Craven Hotel, London, 22nd May 1865.

By public, written, and proclaimed invitation I called all interested in the Protectorate, in Cape Coast and the outposts within reasonable distance, to meet me with respect to my having been summoned to England to give evidence on a subject so interesting. No king or chief was specially named, but happily all those within hail cheerfully responded to my call. I held the meeting with some ceremony, under tents prepared for the purpose, on, I believe, the 10th April, when all matters connected with the Protectorate, and the King of Cape Coast's attempt to sever it from British rule were discussed and explained; and I was requested to adjourn until the morrow for the purpose of a consultation being held with the King of Cape Coast. On the morrow, I specifically summoned the headmen and captains of the companies, so called, supposed to be under the influence of the king, but neither he nor they attended, although there was a goodly assemblage present, and a further adjournment was requested. On the 12th a similar meeting was held, when I pressed for a simple answer to the simple question I had put, prior to my embarkation on the morrow, "Whether the inhabitants of the Protectorate sided with the King of Cape Coast, and whether they, in point of fact, desired a severance from the British Government," and that such answer might be verbal or in writing. On the 13th a numerous deputation waited upon me with the document I have the honour to enclose, as containing

1.

containing a distinct prayer to remain under the protection of Her Most Gracious Majesty, otherwise I should have hesitated to present it to your notice, as referring also to the good-will borne me by, I may fairly say, a large portion of those whom I have been permitted to govern. The address having been read, I pledged myself to urge its prayer upon your favourable notice; and I then listened for some hours to the grievances which the natives crave may be remedied, the principal of which was one relating to the advocates referred to by me in a despatch of this day's date.

In conclusion, I have the honour to enclose a letter received from Chief Justice Hackett, as to the expediency of the decree obtained by Mr. Finlason for George Blankson Wood being fully carried out, which I respectfully suggest can best be done by your instructing Major Jones either to enforce the payment of the guarantee, or at least demand its being duly honored. 2.

Enclosure 1, in No. 2.

To His Excellency *Richard Pine*, Governor and Commander in Chief of Her Majesty's Possessions on the Gold Coast. Encl. 1, in No. 2.

May it please your Excellency, Gold Coast, 14 April 1865.

We, the undersigned inhabitants and natives of Cape Coast, Anamaboe, &c. &c. &c., under British protection, beg respectfully to approach your Excellency on this, the eve of your departure for England, being, as we understand, called home to report upon the present state of this Protectorate, of the conduct of the Ashantee war, and of the benefits accruing to this country from the presence of the English amongst us; and upon whose report may possibly depend the continuance of the English influence and protection on the Gold Coast.

We wish the continuance of the English protection, and it is impossible for us now to express in terms sufficiently strong our desire that the English Government should continue with us and not leave us. To leave us now would be like the parent forsaking his offspring before being able to care for itself.

We notice with profound sorrow and regret some remarks made in the "Times" and other papers, "that England has done sufficient for Africa, and that 50 years reparation is equivalent to 200 years destruction;" such logic we should have imagined could never be uttered by any representative of Christian men.

We know your Excellency's views are diametrically opposite to these statesmen.

Your Excellency took the reigns of this Government in very troublous times; immediately after your Excellency's arrival, the Ashantee man Gauin fled to this Protectorate, and placed himself under the protection of the English Government; other complications arose after this, which had their rise during the administration of your predecessor; the result was the Ashantees made this a pretext for invading our territory and destroying almost unmolested our towns. The English troops at this time, through the bad management of their commander, being utterly useless; and when the troops from the West Indies arrived, the Ashantees had evacuated our territory and were glad to remain quiet, so that they had no chance of rendering the special service intended to the Protectorate.

That during all this time the anxiety of mind, and endeavours of your Excellency to benefit us were unceasing; so much so, that your Excellency's health failed, and you have been thought several times on the verge of the grave. At one time it was reported that your Excellency was no more, and that was during the time of your Excellency's absence on a visit to the Island of Ascension for the benefit of your health, which event the enemies of your Excellency made such unjust and illiberal use of.

We sympathise with your Excellency in all these trials; and believing that your Excellency has friends as well as enemies in England, we pray that your Excellency's views and intentions on our behalf may prevail, and that your friends and ours may be in the majority. We notice with deep regret the position the new King of Cape Coast has taken up against the Government, and we assure you that he is not joined by the principal kings and influential men of the Protectorate. We, without flattery, say that this Protectorate has never had a governor more capable of benefiting the country and ruling the African than yourself.

We have at times thought you were too patient, too lenient, and too condescending, but it requires more than the patience of Job to deal with the inhabitants of this country; and your Excellency has exercised this extraordinary virtue to an extent which has caused annoyance to some, but the result has proved beneficial to the country, and will, in after days, and during your Excellency's absence from us, be more appreciated than at present.

In conclusion, we again repeat our earnest desire still to remain under the mild rule of

Her Most Gracious Majesty Queen Victoria, and that we do hope that the protection hitherto given may be continued; and earnestly hoping that your Excellency's life may be spared and your health preserved to return among us,

We beg to subscribe ourselves your Excellency's most loyal servants,

(signed) *Quasie Gooassie*, × his mark,
Chief of Winnebah, and by 105 others.

P.S.—This document has been prepared in great haste, and would not have been presented to your Excellency were it not that the subscribers fearing that you will leave with the impression that the majority of the inhabitants of the Protectorate do not desire the continuance of it; and they have ventured to sign the names of those who are of the same opinion and participate in the views expressed in this address.

The subscribers therefore pledge themselves to have the signatures confirmed that have not been obtained, and forwarded by the next mail.

Enclosure 2, in No. 2.

Encl. 2, in No. 2.

Sir, 41, Craven-street, 22 May 1865.

I READ with much pain the papers relating to the suit Wood against Martin, in the Judicial Assessor's Court at Cape Coast. I say with pain, because it is the first instance, within my recollection, in which the supremacy of British tribunals on the Gold Coast has been disputed.

With regard to the course which it is now proper to pursue, and I may say I give my opinion with all due deference to that of Her Majesty's Government, I think that the decree obtained in the court at Cape Coast should be carried into effect. Without entering into the question as to whether the plaintiff in the suit was a British subject, I think it is sufficient to observe that the jurisdiction now claimed by the British court is one which has been enjoyed and exercised by it, certainly ever since the time of Mr. M'Lean, if not longer, and that the chief headmen and natives of the Protectorate generally have always acknowledged this jurisdiction. If the claims of the King of Cape Coast be conceded in this cause, British influence in the protected territories is at an end, and the office of judicial assessor becomes practically useless.

With regard to the manner in which Her Majesty's Government has viewed this question, I may mention that a Despatch was written (I think in the year 1853) by the late Duke of Newcastle, when Colonial Secretary, on the subject of some complaints made against Judicial Assessor Fitzpatrick, in which his Grace distinctly laid down the responsibility of native chiefs (in that case it was, I think, the King of Cape Coast who complained) as before the British tribunals. I can only regard this attempt to set up the irresponsibility of the native courts as the fruit of the intrigues of a few discontented spirits among the townspeople; and I am convinced that the people of the Protectorate generally submit cheerfully to British authority. Indeed the more important chiefs are those who show most docility and respect for British rule.

In conclusion, I think that whatever may be decided hereafter as to the mode and extent of the jurisdiction to be exercised by British magistrates on the Gold Coast, that the decree given in this particular case should remain in force; and I do so on the ground that it was given by virtue of a jurisdiction now exercised for upwards of 30 years, and never before, at least successfully, disputed.

I have, &c.

His Excellency Governor Pine, &c. &c. (signed) *William Hackett.*

— No. 3. —

No. 3.
Lieutenant Governor Jones to Right Hon. E. Cardwell, M.P.
8 May 1865.

(No. 46.)

COPY of a DESPATCH from Lieutenant Governor *Jones* to the Right Hon. *Edward Cardwell*, M.P.

Government House, Cape Coast, 8 May 1865.
(Received 9 June 1865.)

Sir, (Answered No. 238, 19 June 1865, page 89.)

I HAVE the honour to report, for your information, that shortly after Mr. Pine's departure, and during my absence in the Croboe country, King Aggery of Cape Coast sent messengers to the various kings and chiefs throughout the Protectorate, with the object of inducing them to side with him against British authority, but I have reason to believe with not much success.

Encl. No. 1, 29 April 1865.
Encl. No. 2, 1 May 1865.

2. I beg to enclose the report of the commandant of Anamaboe on the subject, together with the circular addressed to the various commandants by the Colonial Secretary.

I have, &c.
(signed) *R. S. W. Jones*,
Lieutenant Governor.

Enclosure 1, in No. 3.

(19.)

Sir, Anamaboe Fort, 29 April 1865. Encl. 1, in No. 3.

I HAVE the honour to report, for the information of his Excellency the Lieutenant Governor, that I am informed, from reliable sources, a person named Coleman De Graft, representing himself to be an emissary from John Aggery, sometime styled King of Cape Coast, has passed through this town on his way to the krooms of the various kings and chiefs of the protectorate, and that the object of his journey is to incite the kings and chiefs to act in opposition to the Government, as will appear. On his arrival here he waited on King Cofee Affery; he has since passed on to Mankassim, the town of King Adoo, of the Braff country; he there represented that his Excellency Governor Pine had told the people of Cape Coast that the native courts were to be abolished, slaves to be set free, &c., &c.; that the so-called King of Cape Coast, Aggery, had refused to attend the public meeting held by Governor Pine; and he called upon King Adoo, in Aggery's name, to support him in the line of conduct he was pursuing, and with money, if necessary, as they were about to send ambassadors to England. I have informed King Adoo and the other kings and chiefs in my district, that the construction put upon Governor Pine's words by Aggery's emissary is an incorrect one, and referred them to the last proclamation.

I have, &c.
(signed) *J. Brown*, J.P.,
Civil Commandant.

Hon. S. R. Brown,
Acting Colonial Secretary, Cape Coast.

Enclosure 2, in No. 3.

(C. 424.)

Colonial Secretary's Office, Cape Coast, Encl. 2, in No. 3.
1 May 1865.

Sirs,

I HAVE the honour to inform you that one John Aggery, sometime styled King of Cape Coast, has taken it upon himself to send messengers to the various kings and chiefs throughout the Protectorate, in order to incite them to act in opposition to the British Government, and representing that Governor Pine had told the people of Cape Coast, prior to his departure for England, that the native courts were to be abolished, slaves to be set free, &c., &c.

As these are most wilful misstatements, and only tend to mislead the natives, you will be good enough to inform the kings and chiefs in your district that the construction put upon Governor Pine's words by Aggery's emissaries is incorrect, and only calculated to lead them into error.

I have, &c.
(signed) *Sidney R. Brown*, D.A.C.G.,
Acting Colonial Secretary.

The Commandants of Out-Stations.

— No. 4. —

(No. 77.)

No. 4.
Acting Governor Mockler to Right Hon. E. Cardwell, M.P.
3 August 1865.

COPY of a DESPATCH from Acting Governor *Mockler* to the Right Honourable *Edward Cardwell*, M.P.

Government House, Cape Coast, 3 August 1865.
(Received, 11 September 1865.)

Sir, (Answered, No. 258, 22 September 1865, page 89.)

I HAVE the honour to acknowledge the receipt of your Despatch of 23rd May, No. 235,* enclosing copies of letters from Governor Pine and Chief Justice Hackett, relative to the conduct of King Aggery of Cape Coast.

* Page 89.

2. I have to inform you that, with the advice and consent of the Executive Council, I have determined, under existing circumstances, and as the matter has been left to me in so complicated a state, to take no decisive steps in the matter until the arrival of the troops that I lately sent to Lagos to the assistance of the Lieutenant Governor of that settlement, and for the speedy return of which troops I requested stringent orders in my Despatch, No. 69, of the 13th July 1865.

3. It appears to me that the original decree has been set aside by the payment of the fine, and that if King Aggery refuses to repay it he must be proceeded against in the civil courts for debt.

The guarantee given by him is not drawn up in the form of a bond, and it is doubtful whether it would be received by the court even as a promissory note.

But if the court should decide against him, I should like to have a strong force to aid the civil power to enforce its decree, as there would then be much less chance of a collision between the troops and natives.

I have, &c.
(signed) *Wm. Elliot Mockler*,
Major, Commanding Troops, Gold Coast and Lagos,
Acting Governor.

— No. 5. —

No. 5.
Lieut. Governor Conran to Right Hon. E. Cardwell, M.P.
31 August 1865.
* Page 89.

EXTRACT from a DESPATCH from Lieutenant Governor *Conran* to the Right Honourable *Edward Cardwell*, M.P., dated, Government House, Cape Coast, 31 August 1865, No. 91.

"In reply to your Despatch of the 23rd May last, Gold Coast, No. 235,* giving cover to two communications from Governor Pine and Chief Justice Hackett of the previous day, Craven Hotel, relative to the conduct of the King of Cape Coast in April last, I have the honour to state that in my opinion it is necessary to postpone acting upon the guarantee until I can hear from you on a subject so delicate."

— No. 6. —

(No. 114.)

No. 6.
Lieut. Governor Conran to Right Hon. E. Cardwell, M.P.
7 October 1865.

COPY of a DESPATCH from Lieutenant Governor *Conran* to the Right Honourable *Edward Cardwell*, M.P.

Government House, Cape Coast, 7 October 1865.
(Received, 16 November 1865.)
(Answered, No. 284, 23 November 1865, page 90.)

Sir,

THE annual customs (or Black Christmas), as they are called, gatherings which take place usually during the months of August and September, when each company under a captain armed with distinguishing flags meets at some central spot for muster and parade for several days, but seldom for less than a week including Sunday, during which the state of intoxication from common American rum, costing but 3*d.* or 4*d.* a pint, is fearful to witness.

2. This year the custom was held opposite Government House by my permission, the chiefs having promised that it should be so conducted that no one should be hurt during the firing, and this promise they most faithfully fulfilled, I must confess, as far as this town is concerned, whilst the reverse was the case within a few miles of it at Mumford, where four men were shot dead, while 63 were wounded, some severely, and some, I suppose, slightly, by one company (1,000 men at least) firing on the other with loaded arms.

3. Last year, too, at Secondee, within a few miles of Cape Coast, a similar proceeding to that just quoted took place, which ended in killing 12 or 14 persons, some of whose bodies I saw paraded through this town as unconcerned, apparently, as if they had died from natural causes.

4. Thinking, therefore, that they are not amenable to any laws but that of their own (the Fantee), which takes, it would appear, no notice of such doings, I thought a notice I published, such as the one enclosed herewith, might on future occasions be the means of checking such lawlessness amongst them, and hope it will, too, by letting them understand that our laws extend from each castle and fort to a distance of a cannon shot, or five miles, bringing them thereby within our laws, so far as we can, to deter them from such dreadful practices; whilst within such distance, the domestic slave question cannot and is not intended to be meddled with; and although the notice has been out now for a fortnight, not a single murmur

murmur from high or low have I heard against it, the better classes of Fantees everywhere rather approving of its purport and meaning.

5. It must also be remembered, that for 50 years back our Government here have been in the habit of giving grants of land within this range to natives and others upon application for it on regular forms, proving at once, in their opinion, our right to so dispose of it.

Do away with this acknowledged right on our part, and litigation must be the result, questioning our power to transfer their own land.

I think, Sir, for the reasons stated here, that we had better let matters stand as they are this day, feeling certain, as I do, that it is the soundest course to adhere to under all circumstances.

And I may add, that I have not known an instance of domestic slaves leaving their owners for our castles, forts, or settlements on this long line of coast during the last two years; they are part and parcel of their families, to which they are as much attached as their children are; consequently, there is no danger to be apprehended on this point.

I have, &c.
(signed) *Edward Conran,*
Colonel, Commanding Troops,
Lieutenant Governor.

Enclosure in No. 6.

NOTICE.

Encl. in No. 6.

IT is hereby notified for general information and guidance of the public in the Protectorate—

That according to custom and usage, the territory belonging exclusively to Great Britain, on the Gold Coast, extends to the distance of a cannon shot (or five miles) from each of the undermentioned castles and forts; having ordnance mounted thereon for the defence of the Protectorate in general; viz.:—

The Castle
Fort William
Fort Victoria
Fort George
} Cape Coast, Seat of Government.

Fort Dixcove.
Fort Anamaboe.
Fort James - - -
The Castle Christianburgh
} Accra, Dutch territory excepted,

within which distances, none but British laws can be recognised, or enforced upon any account whatever (respecting, however, as far as practicable, native laws and usages).

Annual customs will not be permitted to take place within these distances, without the permission of the Lieutenant Governor, who will (upon being assured by the chiefs and head men, that peace and order shall be maintained, by their respective flags and companies) grant leave to hold such customs in such places as may seem best for the public peace and their own amusement.

And it is further notified, that any person or persons who may on these occasons take the life of a fellow-creature will at once be arrested by the civil power and brought to trial.

Last year several lives were lost at Secondee, and only a few days ago, at Mumford, several men were shot dead* by one company having fired on another, which would have been much worse were it not for the timely interference of Mr. Bentil, who, at the risk of his own life, put a stop to the disgraceful proceedings, for which Colonel Conran, the Lieutenant Governor, takes this opportunity of thanking him publicly.

By his Excellency's command,

M. Doorly,
Acting Colonial Secretary.

Cape Coast, 16 September 1865.

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* There were 4 killed and 63 wounded.—*E. Conran,* Colonel and Lieutenant Governor.

— No. 7. —

No. 7. (No. 123.)

Lieut. Governor Conran to Right Hon. E. Cardwell, M.P. 23 October 1865.

COPY of a DESPATCH from Lieutenant Governor *Conran* to the Right Honourable *Edward Cardwell*, M.P.

Government House, Cape Coast, 23 October 1865.
(Received 11 December 1865.)
(Answered, No. 315, 16 February 1866, page 92.)

Sir,

WITH reference to the riot which took place between the soldiers of this garrison and townspeople, on the evening of the 4th September last, and its unfortunate consequences, I beg leave now to enclose the full particulars relating thereto, as far as I have been able to collect information, together with the proceedings of the soldier's trial for the murder of one of the Fantees that night.

No. 1. 2. I will begin by calling your attention to the evidences taken by me on the morning after the riot, from which you will be pleased to perceive that it arose out of very little, and that, according to the statement of these seven soldiers, they were meddled with first.

3. The riot commenced in Low Town at about six o'clock, where a company of the 4th West India Regiment was quartered (in Amamoo's house), the worst part of the town of Cape Coast, for the want of better accommodation elsewhere, during which day the greatest excitement prevailed amongst the Fantees, from drink while celebrating their usual annual Yam Custom, or what is called "Black Christmas," or probably the row might never have taken place, as they are generally very harmless people; but in which, I am sorry to relate, two of them lost their lives; one from a beating, and the other from a wound inflicted by a sharp instrument which penetrated his lung, whilst several others were wounded, although not severely, I am glad to state.

No. 2. *Vide* 10 and 11. 4. King Aggery, however, in his reports herewith enclosed, would have it otherwise, stating that three were killed instead of two, because a dead body had been washed on shore at Anamaboe in a day or two after the row; upon which the usual coroner's inquest was held, finding a verdict to the effect that his death could not be accounted for beyond the probability of his having been drowned.

5. The coroner's inquests brought in verdicts, in the two cases alluded to by me, of murder; one against soldiers unknown, the other against Private William Hedley King, and other soldiers of the 4th West India Regiment.

This soldier was tried for the murder, found guilty, and sentenced to be executed accordingly, by the Acting Chief Justice, on this very day; the whole proceedings of which trial I beg herewith to enclose.

No. 3.

6. I assembled my Executive Council on the 16th for the purpose of deliberating as to whether the prisoner should be hanged.

The Council consisted of nine members, including myself, and would have been of no fewer than 13, had not absence and sickness prevented four other gentlemen from attending, but as it was there were but three military officers in the Council, with six civilians, leaving no room or reason for suspicion; and the whole of the Minutes of this Council I also transmit, and trust you will, from what they disclose, be enabled to approve of my having commuted the sentence of death to penal servitude for the prisoner's life.

No. 4.

7. I have not been in court during this trial, but have been informed that the jurors and others appeared to conduct themselves (on such a solemn occasion) more like a rabble than anything else, which arose, I fear, out of want of respect for the Acting Chief Justice, who, from the high position he holds, possessed the power of keeping order in the court over which he presided. Indeed, Sir, British law is at a low standard here since the departure of Chief Justice Hackett; who, I must say, never for one moment forgot he was the judge, and as such his courts were conducted and respected.

No. 5. 8. I enclose copy of the proceedings of a court of inquiry, held in the Castle, for the purpose of ascertaining what has become of a soldier, named Wheeler, of the 4th West India Regiment, who was last seen mixed up in the row at about

about six o'clock on the afternoon of the 4th September, and who, the officers and soldiers think has been killed, and made away with on that occasion.

I also forward for your further information, copy of the legal proceedings, instituted by the native lawyers and King's councillors against Major Ivey, commanding 4th West India Regiment, who was charged with inciting and ordering his soldiers (while in command of a picquet he ordered out) to commit a breach of the peace, in beating the people with arms, which case was very properly dismissed, there being no ground for such a charge beyond the animus then prevailing. No. 6.

I beg to inclose copy of the medical report on the subject of the wounded soldiers, which goes to show that the riot was not all on one side. I also annex copies of two letters, which passed between Major Ivey and myself, with regard to his being summoned on the charge above referred to, with which I will conclude this unpleasant despatch, reporting however that all excitement appears to have passed away on both sides, with the exception of King Aggery and a few of his councillors, who have just hired a large building in town to hold their own courts in. No. 7. Not received. No. 8. No. 9.

9. I do not consider the King a bad man, but think he is very badly advised by a set of part educated councillors, who resemble Chartists more than anything else, and have nothing to lose, but everything to gain, by any change that they may effect in this place, which they could not govern for a week in our absence, as no king or chief in the Protectorate deigns to acknowledge Aggery; for a few days ago, he endeavoured to call them together, to hear Mr. Martin (his commissioner to England) address them, and not one came or took the slightest notice of his summons, but on the contrary considered it presumptuous on his part.

The kings said, that if I wanted them they would gladly assemble, but not otherwise.

And to prove to you, Sir, the exaggeration of this affair and the presumption of King Aggery, aided by one Charles Bannerman, the cleverest native lawyer here, I cannot do better than enclose for your perusal, copy of a letter from King Aggery, of the 8th September, to write which I understand the lawyer got 50 *l.* No. 10.

And for my reply thereto, please see letter, dated the 11th of same month. No. 11.

10. The King sent Mr. Martin to England to represent the hardship his people had to bear in having to employ lawyers (*see* pages 323 and 327, answers to questions 8329, 8427, wherein he ignores them before your committee), while King Aggery actually appoints the most dangerous attorney of all (Mr. Bannerman) for which please see enclosure from this same person of the 12th September, notifying his appointment as the King's secretary and professional adviser; and I think you will see the fickleness of this small but troublesome party striving for power and the means of coercing the other harmless and loyal kings and chiefs of the Protectorate into submission to their own rule, while the British Government is to remain as secondary only. No. 12.

11. I have been here now for upwards of two years, watching the proceedings of the natives of Cape Coast respecting law, and am of opinion that the British must and should prevail wherever there are magistrates, making allowances as far as possible for the customs and manners of the natives, letting the kings and chiefs everywhere throughout the Protectorate carry on their own and present mode of dealing with ordinary cases (land questions, murders, &c., excepted which must come to the supreme courts).

There need be no magistrates at Winnebah or Dixcove, whilst there must be at this place, Anamaboe and Accra, in which British law ought to be maintained intact where such institutions as hospitals and schools must be established to the best of our means; as at present there is nothing of the kind in either of those large towns, and until now there was no hospital here while the school could hardly be called one from the defective teachers placed over their scholars, and this as well as the hospital I am, with the assistance of committees of other gentlemen, about to remedy as far as it is in my power to do so.

12. In confirmation of my statement to the Council on the 16th instant (as corrected), relating to the disturbances between the natives when making their yearly customs, I beg to enclose extract of the proceedings as recorded in the Colonial Secretary's Office here as to the people of Commendah. No. 13.

13. In conclusion, I beg to say, that as reports may reach you, Sir, from other quarters, respecting this riot, I feel it to be my duty to keep nothing back, but to place every particular fully before you, which I do, rendering this a rather voluminous report.

I have, &c.
(signed) *Edward Conran*,
Colonel, Commanding Troops,
Lieutenant Governor.

Enclosure 1, in No. 7.

Encl. 1, in No. 7.

EVIDENCE taken on the Morning after the Riot.

No. 555, Private J. E. Jordon, 4th West Indian Regiment, states:—About half-past six, p.m., on the 4th, J. Beckles and Broffit were walking from the Castle towards Amoo's house; as we got near Mr. Ward's house, Broffit turned one side to take up a small stick about two feet long. A young man named Jones, a goldsmith, came up to him and said, "Broffit, I know you;" and asked Broffit to give up the stick, but Broffit did not. We went on about a few yards, when a lot of Fantee men with big sticks surrounded us and commenced beating us; Broffit was beaten till he was senseless. I got several blows on my head and shoulders (mark visible). Beckles' arm was broken.

No. 22, Colour Serjeant Major Gibson, 4th West Indian Regiment, states:—I live at Amoo's house; about half-past five o'clock, p.m., on the 4th September, Private Burns came to me and reported that as he was going down the street in Low Town, he was attacked by a Fantee man, who gave him a chuck; afterwards surrounded him by a lot of men, who beat him with sticks and stones at the grog shop adjoining Mr. Bartell's house. I went down with him myself immediately to see what was the matter. I saw several Fantee men at the place, but Burns could not identify any man in particular who struck him. I returned to barracks. About ten minutes to six, Serjeant Williams came to me with his head bleeding, and said he was stoned and cut by the Fantees as he was passing through Low Town. I came out with him and Private Shaw, about 50 yards from the barracks, when we were mobbed by I should say not less than 80 Fantee men with stones, which compelled us to run to barracks. I made after this a second attempt to go over the hill by Government House, to report the matter to the Castle, in company with Serjeant Williams and Private Shaw; as the Fantees saw me on the hill, they ran through the gully to cut me off. I returned back to come by the beach as a last resource; they saw me again, and again intercepted us, and drove us back to Amoo's house.

The number of Fantees were then increased by about 12 men, who came out of Davidson's house (who was present, and I called upon him to assist me) to their assistance, compelling us to return a third time to barracks.

A fourth time I attempted, and went out by the rear of the house, and got to the Castle round by Government House, and reported matters to the adjutant; this was about half-past six.

As to Mr. Davidson being present and refusing to assist me, I call upon Serjeant Williams, Serjeant Wickham, and Private Small, Private Shaw, and Private Cumberbatch, who saw him.

After Serjeant Williams reported to me the affair, I confined the men to barracks under charge of Serjeant Wickham.

No. 219, Serjeant Henry Williams, 4th West Indian Regiment, states:—On the evening of the 4th, about 10 minutes to six o'clock, I was going to Amoo's house from the Castle, and passing by Low Town I saw five soldiers, who the Fantees were beating with sticks and stones. I called the men together and fell them in; and the Fantees ceased to beat them; but as I gave the word "quick march" to go to barracks, the Fantees set upon them again, and I lost the command of them, as they had to defend themselves. I got my head cut with a stone at the time. The men got away the best way they could, and I escaped to the barracks and reported the affair to Serjeant Major Gibson. (He corroborates Gibson's evidence here as regards the several attempts and failure they made to get to the Castle.)

When we were going by the beach, about 12 or more Fantees came out of Mr. Davidson's house, and I saw a fire-stick, or burning log of wood, thrown out of Mr. Davidson's house at Colour Serjeant Major Gibson while he was running to barracks.

The men who I saw the Fantees beating were Privates Burns, Bannister, Wallace, Cumberbatch, and Rudder, who will corroborate this.

The man who struck me I can identify if I saw him; he had his left eye closed, but I do not know his name.

On Colour Serjeant Major Gibson reporting to the adjutant (Arrowsmith) the state of affairs in town, Major Ivey went out with an escort of about 12 men, half of them armed, the remainder unarmed, with a view of recalling the men and protecting them, as at such an hour the soldiers are out of barracks for recreation. On finding apparently the town quiet, and no sign of further disturbance that Major Ivey could discover, he returned to barracks

barracks with his party. Soon after, however, about seven o'clock, Private Broffit was brought in on a stretcher insensible, and reported dead (and another Private Beckles), having been killed by the natives, upon which the greatest excitement prevailed in and outside, rendering it most difficult to bring together those who were at large outside seeking satisfaction for the supposed murder of two of their comrades.

Seeing this state of affairs, the alarm was sounded for the purpose of assembling the troops in barracks, whilst a larger escort of 20 men armed, proceeded down to the lower part of the town, where there were about three constables, who pointed out to Major Ivey two houses full of the riotous Fantees, out of which the police handed over several of them, which I sent to the Castle, fearing as the police were Fantees themselves, they would be allowed to escape. Major Ivey took two muskets which he smashed on the spot, besides two more with ammunition, which were taken from the men and brought to the colonel at the Castle gate A picquet continued to patrol the town, picking up straggling soldiers, many being still absent until about tattoo.

(signed) *Edw. Conran,*
Colonel Commanding the Troops,
Lieutenant Governor.

Enclosure 3, in No. 7.

Supreme Court, Cape Coast, 6th October 1865. Encl. 3, in No. 7.

The Queen *v.* King (William Headley).

The prisoner having been duly arraigned, and indicted for the wilful murder of John Saneiz, on the 4th day of September last.

The prisoner pleaded not guilty.

Jury.

The C. C. Chief Justice said, that as the jury had been summoned in a special manner, he was anxious that any objection that could be submitted to the Court as to their constitution, should be raised at once. The jury had been selected with a view of obtaining as many intelligent and respectable persons as possible, and not as usually, by lot from the panel.

The agent, Mr. Bannerman, who was present to watch the case for the king and people of Cape Coast, the Queen's advocate, and the agents for the prisoner, stated that they had no objection to any, or to the constitution of the jury.

The prisoner had previously stated that he was satisfied with them all.

The Chief Justice then ordered that they should be sworn.

Jury:

Joseph Adams, foreman.	J. C. C. Huydecoper.
James Speid.	Samuel Davis.
W. R. Taylor.	Samuel Bannerman.
H. F. Spilsbury.	Isaac Robertson.
W. T. Johnson.	Joseph W. Cole.
Mark C. Hanson.	E. J. Donis.

The jury having been duly sworn, the indictment was read to them, and the prisoner put upon his trial in the usual way.

The Acting Queen's Advocate and Mr. Finlason appeared for the prosecution.

Mr. Hughes and Mr. Bartels defended the prisoner.

The Queen's Advocate opened and stated the case for the Crown.

He stated that it was not necessary on the part of the Crown to prove that the death of the deceased was caused by the blow of the prisoner personally; it was sufficient if he (the prisoner) were present aiding and abetting in fact one of the party who killed the deceased.

The evidence tended to show that the course taken with Saniez from his house to the Castle was a direct one.

The Queen's Advocate wished to put Dr. Skeus' deposition in evidence.

The Court said such a course was not provided for by the 11 & 12 Vict. s. 17. It was there stated that a deposition duly taken could be put into evidence, where the witness who made it was dead, or "so ill as not to be able to travel," but no provision had been made by the Act for such a case as the present, viz., unavoidable absence.

Allen Nesbit Fox, sworn.—I am a doctor; I remember being present on the 5th of September last at the post mortem examination; it was made by Dr. Skeus. I had an opportunity of seeing the whole of the post mortem examination; I had the same opportunities of observing it as Dr. Skeus. The external appearance of the head exhibited a contused wound. There were bruises on the shoulders of the deceased, also on his back. There was a punctured wound anterior, and to the front of the left shoulder. I saw Dr. Skeus try to pass a probe into this wound; he succeeded in passing it on some little distance, for an inch or so. We arrived at no conclusion at that time as to the wound.

Afterwards he found, on removing the integuments in front of the chest, that this wound communicated with another wound which passed into the chest. I considered that these wounds were caused by some penetrating instrument. I could not state from the nature of the wounds by what instrument these wounds were inflicted. We found on the right leg a compound fracture of the large bone of the right leg. It would be difficult to say how this wound was inflicted; it was most likely inflicted by a violent kick or blow. When Dr. Skeus first removed the covering of the brain, he found there was an effusion of blood and serum on the brain. The appearance shown by the brain did not indicate that there was a mortal injury in that part. On opening the chest we found the left side full of blood; we also found the left lung pierced by the instrument; the effects of this wound I consider were mortal; there was no chance of the man recovering from the wound; if it had been treated at an earlier stage, it is possible it might not have proved mortal; this wound never was treated; I consider the deceased died of hœmorrhage into the left cavity of the chest; his death would have taken place either before or after in point of time, according to the amount of the hœmorrhage; the wounds were all of recent date; I consider the cause of deceased's death was the treatment he received in that night. The other parts of deceased's body were healthy.

Cross-examined by Mr. *Bartels*.—I was present at the examination. I did not take an active part; I merely attended to look over what Dr. Skeus did, at his request. I took notes; I always do at a post mortem; medical men generally do. Dr. Skeus passed the probe for an inch and a half into the wound in the arm, with a view of seeing where it led to; we afterwards found it led into the chest. There was no external wound on the chest; the wound was inflicted by one blow; the two wounds I mentioned were the one in the arm, and the continuation into the chest, in point of fact one wound; the wound was altogether about three inches; I cannot say exactly with what kind of an instrument it was inflicted; it might have been four inches deep; it was sufficient to cause death; I have never seen a wound exactly like the deceased's; I do not consider the wound on the head mortal; I was in bed in my quarters when the serjeant reported to me the death of Saneiz: this was about daybreak.

To the Jury.—I can't say at what time the deceased was taken to the Castle. The first time I saw deceased was at about eight o'clock on the morning he died; he was lying in one of the rooms in the Castle.

To the Court.—I can't say if any of the persons brought into the Castle from the town on that night were treated medically. The deceased was lying on the floor of the room when I saw him; I did not make inquiries how many were in the room on that night; I was not present at the coroner's inquest.

Accosnah Ackery, sworn.—I was the wife of the deceased, John Saneiz; I was with him in bed on the night of the 4th of September; I know nothing of the row that occurred that day; the deceased had returned home at his usual hours, and asked for his meals, which I prepared for him. He commenced taking his meals; he did not finish; he said I was to give the remaining portion to his sister's children, which I did. The deceased said he was going to bed. I heard a noise in the street. He did not go to bed immediately; people were running from place to place; I heard his sister say to him, "Go to bed." The deceased laid down; I kept in the room where he was; he asked me to go to bed; I said I would, but I did not turn in immediately. I saw the deceased get up; he was trying to go out; I told him not to go, but to go to sleep; he laid down again; the noise increased. I got frightened; I got up; I intended to go and see what it was. Deceased saw I was going out; he said to me you said I should not go; how is it that you are going. He said, "Come back and lay down." I then bolted the door inside, and lay down in the bed with him; the noise was still going on. I got up again; I stood looking into the street through the window; I saw some soldiers; they were being drilled; they stood in a line. I saw one Martha's door broken; I saw the soldiers breaking the door. I asked the deceased to get up; he said he would not; he said to me it was not legal for anyone to enter my room whilst I am lying down, even supposing that I had wronged anyone outside. I did more than once look into the street through the window; I heard a woman named Yammie Nansie call out, "Come out, come out, why do you not come out; are you hiding in your rooms? I shall be witness;" that meant a witness to this effect, that the uncle of the deceased (Saniez) had caused the death of her husband, who was a soldier, and who, she said, had been killed that night, and that she had his blood in a bowl. The uncle of my husband was sick; he had been to the beach during the afternoon; he returned about an hour before the row commenced, and lay down in his bed. Yammie Nansie went into the room of the uncle of the deceased and took his stick, and said that she was going to produce the walking stick as a part of the evidence, because her husband had been killed, and that if no one else died she would give evidence, so that the person who killed her husband might be hanged. The deceased got up; he went towards the window; the window had been broken into from outside by one of the soldiers; it was after Saneiz had been carried away. Yammie Nansie came into his uncle's room for his stick. The second time I went to the window I stood at it for some time. I saw Yammie Nansie then. The deceased got up, and I stood behind him at the window. I went to the window twice; when I went to the window the first time the deceased was lying down. One of the soldiers broke the window, and came into the room while my husband was lying down. The soldiers came in through the window; the window was on level with the street, that is, the room was. The deceased went to the window;

window; I stood behind him. The white man stood outside with the soldiers. The deceased talked with the officer. The deceased said he did not know why he had been taken away; the officer said that he would see that he was taken out. The witness distinctly said it was an officer. I could not see him; I saw he wore a red coat; he stood behind the soldiers. On this he was pulled out of the window; they carried him away. From the way the soldiers went on I thought they would injure me; the soldiers came and pulled me out from the bedstead. They broke one of my necklaces. They brought me outside to the door. They said, she is a woman. They left me and followed the others. I saw the soldiers strike my husband as they went along; they struck with their guns. They had bayonets in their hands. When the soldiers came in several followed. Then the first soldier who came in through the window, having opened the door for the others; some remained in the street. The soldiers who came in commenced to break the furniture in the room. At the time the soldiers first came in my husband got up. The soldiers did not strike him in the room. I saw blood on the window in the morning; there was a good deal of blood there. The soldiers who remained behind the window were of the same party who came into the room. I did not know any of the soldiers. My husband was a clerk to Mr. Sago. Sago is a general merchant; he sold rum and tobacco, &c.

[The witness not being present after the re-assembling of the court, which had risen for 20 minutes, her cross-examination was postponed.]

John Coleman Degraft, sworn.—I first heard the disturbance in my house on the night of the 4th. My house is not in the district where the riot took place. I went out. I heard Mr. Thompson's and others' voices. I went to his house. I, and the councillors who were at Mr. Thompson's house, wanted to retire; but it was reported to Mr. Thompson that a mischief had been done in the Bentill Quarter. Mr. Thompson was requested to go to the Bentill Quarter. On account of the mischief done there, the Bentill people had turned out, beat their drum, and that there was much confusion there. Mr. Thompson went to Bentill. I and his councillors accompanied him. We got to a place near Mrs. Swanzy's house, when we met a man named Daddy Chia, who stated that soldiers had gone into his room and inflicted the wounds he had on his head; but that he had no hand in the disturbance which had taken place in the Bentill Quarters. I saw a large number of the Bentill people, over 60, who had come from the Bentill Quarters. We were then near Mrs. Swanzy's house, that is to say, the one she lives in. The Bentill people said that, because the man Daddy Chia had been attacked by the soldiers as he described, they also got ready to fight; that if the soldiers attacked them they would attack the soldiers in return. Mr. Thompson told them he would proceed with them and put them quiet. Mr. Thompson went to the Bentill Quarters; I and the councillors accompanied. Mr. Thompson told the Bentill people that the matter was between himself, the King, and the Governor to talk over in the following day, that the Bentill people must not attack any person, notwithstanding that they were attacked. Mr. Thompson added that he had once attended the place the disturbance commenced, that he had done his best, and that the riot had been dispelled; that he had left, and that another riot had commenced. A proposal was then made that we should go again to the Bentill Quarters, and see that no further people were hurt by the soldiers. We heard that some persons had been attacked. We proceeded to Sam's Gate; as we went along, we heard the sound of a beating, the beating of a man. We got to Sam's Gate; we saw a constable there. He had been placed there to watch some prisoners. Mr. Thompson asked the constable who it was the people were beating; he meant by the people here, "the soldiers." The constable replied that it was Saneiz whom the soldiers were taking away. Mr. Forson said, Let us go up there and see; we went up to the place where the old canoes are lying in the eastern side of the castle. I saw Saneiz, he was lying down flat on his back, his head lying on the sloop towards the sea. The soldiers were standing around him, some with guns, some with bayonets, and some with sticks or clubs, or pieces of wood, such as are here sold for burning. Saneiz was all over covered with dust. I thought he could not live. Immediately after he was carried away from the place where I saw him. Mr. Thompson said to Saneiz, "Get up, walk with them, so that they may not kill you." He replied in a feeble tone of voice, "I cannot." "I am, or have been broken." I heard Mr. Thompson say to the soldiers that they should take Saneiz up. I heard one of the soldiers reply in these words, You Fantees have killed some of our people, and if we have this man in our hand, you say we must hold him up, because we are going to kill him. One of the soldiers seemed annoyed at what Mr. Thompson said, he held up to him the butt end of his gun, and was attempting to strike. The soldiers during this time were beating Saneiz. I saw the prisoner strike Saneiz. The deceased was lying down, the prisoner kept striking him with a stick thicker than my wrist. I went up to the prisoner in order to speak to him; getting near to him for that purpose, and to say Mr. Thompson was a peacemaker, that he had a right to interfere in such matters. I went up close to him, standing right in front of him; he pushed me, I went back, he struck me on the thigh with the wood he had in his hand; I fell down flat as if I was in bed; the prisoner was about to repeat the blow, but Mr. Catiline cried out and caught the stick, and prevented the prisoner striking me. The prisoner then gave me a kick on the head. We then returned. We saw nothing more of Saneiz; he was taken by the soldiers. I recognised King at the Castle on the day of the inquest; I had seen the prisoner before I went to the inquest, walking about the Castle; I pointed him out to Mr. Catiline, and said, That is the man who struck me last night. I had told Mr. Thompson on the previous night

night that I knew the prisoner. I keep a retail shop, and the prisoner frequented it. At the inquest I pointed out the prisoner to the head constable, Mr. Whyte; I was asked, and I recognised him out of several soldiers. I did not know the prisoner's name at the time; it was first mentioned to me by him. I knew him before by appearance. The place where we found Saneiz being beaten by the soldiers is about 200 yards from his house. I saw the prisoner strike the deceased with a stick; he was lying on the ground helpless. I knew the prisoner before that time by appearance. I know he is the man I saw that night strike Saneiz. I did not see him (Saneiz) before we saw him near the Castle. I did not see how he got where we first saw him.

Cross-examined by Mr. Bartels.—I plainly recognised the prisoner. It was a moonlight night; it was not very clear, but it was clear enough for a person to see clearly one man from another. I could tell the colour of a man's eye, or what a man's dress was. I never knew that the prisoner wore a beard, or hair on his face of any kind.

To the Jury.—M. Catiline, Forson, J. F. Smith, and George Taylor, Young Tandoe, Duncan (Young), and many others were present when Saneiz was being beaten. There were six or eight soldiers present at the time. I saw some of them strike Saneiz with the butt of his gun. I can't say who struck the last blow to the deceased, or who struck the most serious blow.

To the Court.—I saw blood on his dress; it was a cotton morning gown. I did not see any one strike the deceased with a bayonet; there was no officer. I saw a serjeant among the soldiers who were beating Saneiz. I never had any dispute with the prisoner. He used to pay ready money for what he got at the store.

James Catiline, sworn.—I saw John Saneiz near the Castle. When I first saw him he was lying upon the ground; he was surrounded by people. I saw one of the soldiers strike Saneiz when on the ground.

Cross-examined by Mr. Bartels.—I saw about five soldiers at the spot where Saneiz was being beaten, there may have been more. I was present, and Coleman De Graft was present at the time of the coroner's inquest. The soldiers were walking near where we were. Coleman De Graft recognised one of the soldiers as the one who had struck Saneiz the night before. It was about half-past nine o'clock when the soldiers struck De Graft.

The Chief Justice then cautioned the jury not to hold any conference with regard to the case between themselves or with others not on the jury, and adjourned the case until to-morrow at 10 o'clock.

(signed) *Michael R. Barry*,
Chief Justice and Judicial Assessor.

Supreme Court, 7th October 1865.

The Queen *v.* King (William Headley).

See yesterday's notes.
The jury answered to their names.

James Robert Thompson, sworn.—I remember the night of the 4th of September last. I knew John Saneiz, the deceased. I saw him first while the soldiers were dragging him near the Castle; they put him down at my request, he was laid flat then on the ground; he appeared to be half dead at the time. I did not examine him so as to see if there was blood on his things. There were about six or eight soldiers with him. As we went up to him I saw the soldiers beating him; they were treating him in a very wicked manner, as if they were drunk. I commanded one of the soldiers to let him down; the soldiers then turned round on me and said, "You Fantees have killed one of our men, and we must do the same." The soldier then said, "Ask Saneiz to get up and walk." I said to Saneiz, "Get up, and walk, or they will kill you." Saneiz said, "Papa, I am killed, I cannot." The soldiers could be seen sufficiently well with the light there was at the time; it was moonlight. Mr. De Graft was with me; the soldier struck him. He said he could point out the soldier who struck him. It was the same soldier who threatened to strike me, who struck De Graft.

Cross-examined by Mr. Bartels.—It was by my order the soldiers laid Saneiz down. There were two of the soldiers with guns, and the others had sticks. James Jehu, a Fantee man, was taken and beaten by the same party of soldiers.

To the Jury.—It was about nine or ten o'clock this took place. I can't exactly say what the time was. No one touched the soldiers.

William Henry Ward, sworn.—I remember the night of the 4th of September. I remember a disturbance which occurred on that day. I was in Sam's Hotel. I was in the Piazza. I heard the noise first in the direction of Saneiz's house, towards the right, some time after I had been confined in Sam's Hotel. I shortly afterwards saw the soldiers dragging a man along in front of Sam's, going towards the fort. I saw it was Saneiz; I knew him well; they were beating him as they passed the hotel.

Cross-examined

Cross-examined by Mr. Bartels.—I could not recognise from the position I stood any of the soldiers again; one or two or three of them had red tunics on over their smock frocks.

To the Jury.—No officer was present when the soldiers were dragging Saneiz. I saw officers with the men before I saw the deceased.

James Jehu, sworn.—I am one of Mr. Thompson's constables. On the night of the row I was with Mr. Thompson at his house; it was reported to Mr. Thompson that there was a row at Bentill. As a constable Mr. Thompson sent me and another man to go to Bentill and speak to the people. We went. We saw the Bentill people; they beat their drum; they said a man named Daddy Chia had been attacked; we endeavoured to keep them quiet, but could not succeed; they stated they had nothing to do with the disturbance, but that they had been attacked by the soldiers, and that they must defend themselves against the attack. We still found them disinclined to listen to us; we therefore told them if they could not take our advice to be quiet they had better send Daddy Chia with us to Mr. Thompson. Daddy Chia accompanied us from the Bentill Quarters to Mr. Thompson's. On getting near Mrs. Swanzy's house we met Mr. Thompson, &c. Daddy Chia had been wounded by the soldiers. Mr. Thompson came with us to the Bentill Quarters, and we went on towards Sam's Hotel. We then saw some soldiers taking a man away. They kept beating the person. When we got to Sam's Hotel we met a constable (named Abbacan). Mr. Thompson replied it was Saneiz whom the soldiers had been beating as they went along. One said, "Let us go and see." We proceeded up to a place where there was some lime, where we saw Saneiz. A party of soldiers joined the others; one of them struck one of Mr. Thompson's people; the same man struck me. The soldiers commenced beating the whole of us; the soldiers took me; they gave me several blows. Some time after I was brought in Saneiz was brought in, I asked Saneiz what was the matter; he said, "I had gone to sleep; the soldiers came into my room; they struck me with a bayonet, they hauled me out of my window, they dragged me away, and I am brought here." He asked me how I came in; I told him it was for his sake, helping; he said "he was thirsty"; they brought him water three times. Constable Shortt brought the water. He still said he was thirsty; he said, "his heart was tearing off." Awhile after this he kept rolling about the room; he said, "I am dying." He made a sort of groaning noise in his throat. He coughed a little, his bowels were moved, and he expired. My friends in the room did not know that Saneiz was dead; they thought he was asleep; it was about three o'clock he died. I told them he was dead; they looked at him and they found he was dead. Some time afterwards some soldiers came in; we told them Saneiz was dead; they said it was very good that Saneiz had died; they said so much the better, three of our men have died. After this we were moved from the room, 18 of us; we were put in another room; they sent Saneiz's uncle, who was with us, and had been previously in the guard room, to see Saneiz; he saw him, and shed tears. Many others also saw Saneiz, but I did not go myself. Some water was fetched to the room where Saneiz was. I can't say what was done with the water. After all this we were taken to Gothic House, where we obtained bail, and were let out. Saneiz did not mention that he knew any of the soldiers who had beaten him. I could not tell any of the soldiers who were present.

Cross-examined by Mr. Bartels.—The soldiers wore for the most part white smock frocks.

To the Court.—It was not the same soldier who tried to strike Mr. Thompson who struck Mr. De Graft; the soldier had a gun who tried to strike Mr. Thompson; the one who struck De Graft had a stick; I can't say if the prisoner were one of the party.

Robert Abbacan (constable), sworn.—I was in the Low Town at the time of the row. I saw Saneiz in the Low Town that night, near Sam's Hotel.

[The remaining part of this witness's evidence was not material.]

John Walter Good, sworn.—I am a merchant here. I knew the prisoner at the bar. When the regiment arrived here I was in charge of the engineer department; the prisoner knew me; the prisoner came to me in the morning of the 6th September in the yard at Gothic House; he said to me, "The jury have found me guilty of murder, but I did not kill the man myself;" I said, "However, the jury have found you guilty, and you had better say who did kill the man." He said, "he knew who killed the man." I then said, "You had better turn Queen's evidence at once;" he said, "I should like to get a lawyer;" I said, "That was easy," &c. He gave me a paper (produced); he said it contained the names of the men who murdered the man. When the prisoner gave me the paper he said he would turn Queen's evidence; nothing further.

Cross-examined by Mr. Bartels.—I obtained the paper from King; I do not know the handwriting.

James B. Hagan, sworn.—I know the document produced; I gave a piece of paper like this (which the inspector permitted me to do) to the prisoner. I can't write; I do not know who made the writing on the paper; I overheard the prisoner while in the yard say to Mr. Good that he wanted a lawyer; I heard Mr. Good ask him also if he wanted one, he said, "Yes;" prisoner said he did not commit the murder; I saw a paper in Mr. Good's hand; I can't say if it was the paper produced.

Cross-examined by Mr. Bartels.—The prisoner had use of my pen and ink.

The Queen's Advocate said he did not feel well, and asked for an adjournment until Monday after the cross-examination of the deceased's (Saneiz's) wife.

Accosuah Ackery re-called.

Cross-examined by Mr. Bartels.—It was late in the evening when the soldiers broke the window; I can't say if it were before or after gun-fire, there was so much noise I did not hear the gun-fire that night; the man who came through the window took his shoes off, and gave them to a person who was standing outside the window; I could not exactly say, however, how the soldiers were dressed.

Adjourned until Monday morning at 10 o'clock.

(signed) *Michael R. Barry,*
Acting Chief Justice and Judicial Assessor.

Supreme Court, 9th October 1865.

The Queen *v.* King (William Headley).

See Saturday's notes.

The jury answered to their names.

The Queen's Advocate then addressed the jury on the evidence adduced on the part of the Crown. He called attention to the medical evidence of Dr. Fox and Mr. De Graft's evidence.

Defence.

Mr. Bartels opened the case for the prisoner.

John William Arrow Smith, sworn.—I am lieutenant and acting adjutant. I know the prisoner, he belongs to my company; I have had the company for three months; my experience of him is good. I can't speak of him as to his general character. I saw the prisoner on the night of the 4th. I sent him up to Connor's Hill with Corporal Custuin. I sent him and the others with Lieutenant Osborne to accompany; that was at about a quarter past eight o'clock; it was between eight and a quarter past. A report was given to me by the corporal about nine o'clock. He reported to me that Mr. Osborne had gone up to the Hill; I said, "All right," and told him "to dismiss;" I went to bed shortly afterwards. I cannot say, King being a married man, if he were in barracks, or not, after the "dismiss" from parade. The married men live out of the Castle. I know the prisoner was among the men I sent up; I took a few men from a detachment in front of the Castle gate. I know Corporal Custuin, and the prisoner were among them sent to Connor's Hill.

Cross-examined by the Queen's Advocate.—I did not see the prisoner after I sent him to Connor's Hill. The prisoner belonged to the company stationed at Connor's Hill. He need not have returned to the Castle, unless he wished.

To the Jury.—This was after the riot took place. I knew at the time a number of men were taken into the Castle. There were 18 men, I think, in at the time; at the time I sent the prisoner to Connor's Hill, and even forming the men to march into the Castle (that is, those who were to go in), these were men who had been in the town that night; nearly all the men had then returned.

James Kirton, sworn.—I am a corporal in the 4th West India Regiment; I remember the night of the 4th of September last. I know the prisoner; he belongs to the same company I do. I was ordered that night to accompany Mr. Osborne, with the prisoner and two other soldiers, to Connor's Hill. This was about 10 minutes to eight o'clock. I returned to the Castle at about a quarter to nine o'clock. I only brought back one of the men; that was the prisoner at the bar. The other two men were left at Connor's Hill; their company was stationed there. I parted with the prisoner in the Castle at a quarter to nine. I do not know anything of him after that; I went to bed.

John Thomas Leacock, sworn.—I know the prisoner at the bar; I remember the night of the 4th September; I saw him about a quarter to nine o'clock in that night; he was standing at the gate with arms and accoutrements on; I had no conversation with him at that time; I saw him again at 10 o'clock at the Government House gate; at that time he came up to me; I said, "King, are you going home?" He said, "Yes." I said to him, "Sit down with me," and he did. I said, "As soon as the Governor comes, we will go home together." The Governor came home about 20 minutes after. I said to the Governor, "Sir, I am going to bed;" he said, "Yes, Leacock, you can go." I then went towards Dr. O'Callaghan's house on the Hill, for about 90 yards, where I lived; the prisoner came in with me; he had half the house with me; he had no arms on at the time; he left his arms at the Castle; he was ordered to take them off there at a quarter to nine o'clock. I have known the prisoner for 27 years; he can't read and write; he had a smock-frock on at the gate (Government House); he seemed quite cool; the prisoner never wore a beard, that is to say, he had one less than mine (being small one).

Cross-examined

Cross-examined by the Queen's Advocate.—I can't say what hour it was; I saw the prisoner at the Fort gate at a quarter to nine o'clock. At 10 o'clock the prisoner came from the direction of the Fort; I can't say if he had a walking stick; I did not see him between a quarter to nine and 10 o'clock; I did not speak to him about the row that night; I had been to the disturbed districts; I can't say I saw the deceased brought into the Castle; I saw one wounded man brought in; I knew prisoner first in Barbados; we were children together; I only went out once with Major Ivey on the night in question.

To the Court.—Several detachments were marched in at various times; I can't say if I saw Comabarch or Shawls taking a prisoner into the Fort; I saw Thomas on guard at the guard-room.

To the Jury.—I went to the town with Major Ivey.

Thomas Sergeant, sworn.—I am a serjeant in the 4th West India Regiment; I know the prisoner; I recollect the 4th of September last; I was serjeant of the main guard from 8 o'clock in the morning of 4th, until eight of the 5th. The duty of the serjeant of the main guard is to take charge of any prisoners or men that may be brought into the guard-room. The men who bring the men in must report them to serjeant of the guard. I take notice of the prisoners brought, but not of the men who bring them; there were 18 prisoners brought in on the night in question; all the prisoners I saw brought in, as far as I saw, could walk; some of the prisoners were carried; every one of them were carried by the soldiers; I did not make a note of the town-prisoners brought in; it would be my duty to make a note of what a soldier-prisoner was brought in for. The prisoners (the town-prisoners) were brought in from half-past seven until half-past nine o'clock; I could swear positively I never saw the prisoner on that night bring in a prisoner; I can't say if he brought in a prisoner or not; it was possible he might have brought a prisoner in on that night without my seeing him.

Cross-examined by the Queen's Advocate.—The book we enter the prisoners in is meant for soldier-prisoners, not for civilians. It is my duty to see in what condition the prisoners brought in are; I was not astonished to hear one of the men died; I was not in charge of the room with the town-prisoners; they were in charge of the constables. In military book specified what the charge is a man is brought in for. I can't swear which of the soldiers brought the men in that night. I can't say at what time the last prisoner was brought in on that night. I did not notice if Comabarch or Shawls brought in men that night.

William Croney, sworn.—I am a private in the 4th West India Regiment. I have been a soldier three years and a-half. I knew the prisoner. I have known the prisoner. I know the prisoner during that period. I remember the 4th of September last. I saw the prisoner at six o'clock, p.m. on the evening of the 4th September at the Garrison gate. I was on guard at the gate (Governor's guard); King was at the gate from six to a quarter past, the whole time. I did not come to the gate again. I did not see anything of the prisoner afterwards that night.

Cross-examined by the Queen's Advocate.—I received special orders to fire the gun from the Governor.

Charles Groundison, sworn.—I know the prisoner at the bar. I am a private in the 4th West India Regiment. I am very little friends. I remember the night of the row. I can't say what hour it was; I saw the prisoner, but it was after the riot. I was at the gate about five minutes with him. I can't say how many prisoners were brought in at the time I was there. I did not see any coming in. I did not speak to the prisoner.

David Cary, sworn.—I am a private in the 4th West India Regiment. I know nothing of the prisoner at the bar. I have seen him before to-day. I remember the night of the riot. I was in company with the prisoner at about half-past seven o'clock. I went with the prisoner to Connor's Hill. I did not return with him from Connor's Hill. I remained there.

John William Comabarch, sworn.—I am a private in the 4th West India Regiment. I remember the night of the 4th of September last. I was on the main guard that night. I did not see the prisoner.

Cross-examined by the Queen's Advocate.—I stopped from 8 till 10 at the outer gate looking out at the sea. I did not see anything of the row.

Henry Williams, sworn.—I am a serjeant in the 4th West India Regiment. I remember the night of the riot. I did not see the prisoner in that night. I was sent to hospital at about a quarter-past six o'clock. I came out again about nine o'clock, and remained in barracks after that. Everything was over with regard to the riot when I came out of hospital.

Cross-examined by the Queen's Advocate.—I can't say if the row were over in the town by nine o'clock; I was not there.

Edward Shaw, sworn.—(Regiment No. 9.)—I am a private in the 4th West India Regiment. I remember the night of the 4th. I was not on duty that night. I was at Amamoo's Barracks that night. I was stationed there. I saw a deal of the riot. I did

not see the prisoner that night. I was out from about six until nine o'clock: the row ended about that time. I went out with Major Ivey to report the row at six o'clock. I remained with him until the end of it. I can't say at what time it was the row finished.

Cross-examined by the Queen's Advocate.—I did not see any blood shed that night. Major remained out the whole time.

John Francis Lashley, sworn.—I don't know anything of the case. I remember the night of the row. I did not bring any prisoners in on the night in question.

Cross-examined by the Queen's Advocate.—I was under Major the whole time I was out that night. I came back to the barracks with Major Ivey.

Henry Thomas, sworn.—I am a private in the 4th West India Regiment. I was in main guard on the night of the row. I was not out of the Castle in that night. I saw the prisoner in the Castle at about eight o'clock.

Cross-examined by the Queen's Advocate.—I saw nobody brought in hurt that night.

John Price, sworn.—I am a private in the 4th West India Regiment. I remember the night of the row. I was on guard on that night. I was on the main guard.

James Edward Jordan, sworn.—I was not out that night. I was in the Castle the whole time during the riot. I know the prisoner since I came into regiment. I saw the prisoner between eight and nine o'clock in the main guard-room. I saw some prisoners brought into the Castle that night; I can't say how many.

George Jenkins, sworn.—I am a private in the 4th West India Regiment. I remember the 4th of September last. I saw the prisoner in the Castle about eight o'clock that night.

Samuel Best, sworn.—I am a private in the 4th West India Regiment. I was at Fort William on the night of the row. I don't know anything of it.

Mr. Bartels addressed the Jury for the prisoner.

The Queen's Advocate addressed the Jury, in reply, on the whole case.

The Chief Justice then addressed the Jury.

The Jury having retired for two hours, brought in the following verdict:

"The Gentlemen of the Jury, after a lengthened and careful deliberation of the evidences brought before them on both sides of the cause, are unanimously of opinion that the prisoner at the bar is Guilty of the charge preferred against him by the Crown, of Wilful Murder."

J. Adams, Foreman.

The prisoner was then asked whether he had anything to say why sentence of death should not be passed upon him.

The prisoner said: I consider I am a murdered man. I am innocent of this case; those men who I called upon to give evidence, they were men who were marched out of barracks in consequence of the disturbance; they were marched out under the command of the commanding officer, and other officers. I heard alarm sound, and I went to barracks; when I went to the barrack I saw Mr. Arrow Smith and Major Ivey just in the front of the engineer department; at the time I went in I had not my rifle or any arms. I went in as I was, in waking costume. Mr. Arrow Smith told me to fetch (at the double) my arms and accoutrements. I obeyed. I was living at Dawson Hill at the time, and I went there and got my things. When I got to the Castle I found the most part of the troops had left the Castle; that was about a quarter past six o'clock. I remained in barracks until about a quarter to seven o'clock, and that time the men who had been marched out of barracks were marched in again. At the time they came in the bugle was sounded for officers' mess-dinner. I remained in the barracks for about 10 minutes; this was seven o'clock. At that time an alarm came into the Castle from Amamoo's Barracks. James Edward Jordan gave the alarm. I was standing under the second arch of the Castle at the time. The alarm he gave was, that a man named John Braffet had been killed. I don't know who took word up to the men; but immediately I heard the alarm sound again. The men who were then in the Castle were ordered to fall in, which they did. I fell in with them. I was along with about 25 men who were taken out with Mr. Arrow Smith. The major gave the word of command. We were marched out of barracks, Mr. Arrow Smith leading. The Governor himself and the major followed us behind. The Governor said he knew his men would meddle with the natives. I did not hear the answer the major gave. We went as far as the Low Town; at the time we went we did not meet any one. We turned round by Amamoo's house. Mr. Arrow Smith had given us orders, if we found any person fighting, to take them prisoners. We saw no one, so Mr. Smith ordered us to turn back. We came back. I did not go into any one's house. I returned to the Castle. As I got to the Castle gate, I was with Mr. Arrow Smith, and he met Lieutenant Osborne at the gate, and he said he wanted a few men to go with him to Connor's Hill. Mr. Arrow Smith then ordered me to fall out, and accompany Mr. Osborne to Connor's Hill. I went to the Hill with him. I remained at Connor's Hill until the clock struck eight o'clock. I then got up and went to Mr. Osborne to ask him for some leave for the next day; I and Corporal Curtzun then walked down to the Castle.

Castle. When I came to the Castle I was marched up in front of the guard-room. I was then dismissed. I then went out to go home to my place; when I went to the gate I found Mr. Cary, and also saw Serjeant Leacock. I said to the latter, "Are you going home now?" He answered, "No, I can't go until I see the Governor, and hear what he has to say to me." I said, "I'll wait for you." I remained there until about a quarter to nine o'clock. At this time I saw Jehu brought in. After that another native prisoner; about five minutes after this I saw Mr. Cary and about six men and one serjeant belonging to No. 2 Company bringing in a man; two of the soldiers had a man hung on their shoulders, and when they came to the gate the Governor stopped them. When the Governor stopped them they put the man down before him; he was laid or put down flat on his back; immediately some one said, "The man is drunk." I did not go to see who it was, and I can't say if it was Saneiz. The Governor ordered he should be taken in to the guard-room; he was then taken in. I stood there at the gate until nine o'clock. Mr. Cary then told the Governor again that all the men were in barracks; he, the Governor, gave orders to shut the Castle gate. At that time Major Ivey was still out in town. Serjeant Leacock shut the left half of the gate, and I with my twelve fingers shut the other half of the gate; we then left them, and I and Leacock went straight to the Government House. When I went there, as soon as we got there I went into the yard; we had some rum; Mr. Wood gave us the rum; Leacock took some as well as myself. We had not finished drinking the rum before we heard a great noise; it was coming up to the Government gate; it was coming from Mrs. Swanzy's. We found that this was occasioned by the King's messengers. Mr. Wood and Serjeant Leacock went down with these people to the Governor. I don't know if they saw the Governor, but as soon as they went I went to talk to Mr. Wood's wife, who was sitting outside the door; I went to her and asked her for a loan of her pipe; she lent me the pipe; I took the pipe from her, went outside the room, and lit it. I sat there until Serjeant Leacock, the Governor, and Mr. Wood returned. When the Governor got within about five or six paces from where I was sitting, he asked Leacock who it was; he said, "It is King I left here to take care of the place until we come;" so then the Governor came in; he said, "Good night, Leacock; good night, King; shut the gate and go home." After that I and Serjeant Leacock went home. I did not go out after I went home that night.

The Chief Justice, at the end of the prisoner's statement, proceeded to pass upon him the usual sentence of the law, sentencing him to be hanged on Monday, the 23d day of October instant next.

(signed) *Michael R. Barry,*
Acting Chief Justice and Judicial Assessor.

Enclosure 4, in No. 7.

GOLD COAST.—EXECUTIVE COUNCIL. Encl. 4, in No. 7.

Edward Conran, Lieutenant Governor.

PROCEEDINGS of an Executive Council, held at Government House, Cape Coast, Western Africa, by order of his Excellency the Lieutenant Governor, this 16th day of October 1865.

PRESIDENT:

His Excellency the Lieutenant Governor, E. Conran, Colonel Commanding Troops.

MEMBERS:

The Hon. Captain Doorly, Acting Colonial Secretary.
The Hon. J. D. McAlester, Receiver General and Acting Queen's Advocate.

Specially Summoned.

The Hon. A. B. McIntyre, J. P. M. L. C.	Dr. F. Oakes, Acting Colonial Surgeon.
Mr. Nichol Irvine, J. P.	Mr. W. P. Gunnell.
Mr. Samuel Brew, J. P.	Mr. J. H. Ridley, J. P.

Messrs. McIntyre, Irvine, Brew, Oakes, Gunnell, and Ridley, then subscribed to the usual oath.

The absence of Messrs. Grant, Le Breton, West, Richmond, and Blankson, junior, having been accounted for to the satisfaction of the Lieutenant Governor, they having been specially summoned to attend, the Minutes of the last Executive Council's proceedings were then read and confirmed. Absence of Members specially summoned accounted for.

1. The Lieutenant Governor then said,—By virtue of Her Majesty's charter and instructions, I have assembled this Council, composed of the official members and no fewer than six other gentlemen (although five others were summoned to attend who are unavoidably Governor explains the object of meeting.

unavoidably absent) whom I deem competent and expedient to advise me with respect to a criminal, who has been sentenced to death for murder, but which sentence cannot be carried out without my deliberate decision, aided by an Executive Council.

The criminal is King, who is sentenced to death for murder.

2. It is to take into consideration, whether the criminal, W. H. King, shall suffer death or not; the unfortunate prisoner in this case is a soldier in the 4th West India Regiment, who, it appears, went out under arms, with several other soldiers, as a picquet, under the orders of his commanding officer, on the night of the 4th September last, for the purpose of quelling a disturbance between the soldiers, who were fighting in Low Town, with the civilians between the hours of half-past six o'clock to nine p.m. that night, and on which occasion two civilians (Fantees) were, I am sorry to say, killed by bayonet and other wounds, for one of whose deaths W. H. King has been tried, convicted, and sentenced to be executed (on Monday next, the 23rd instant) by his Honour, the Acting Chief Justice.

Mixture in the Council of Members (military and civil).

3. There are on this Council three gentlemen belonging to various branches of the army, including myself, the remaining six being civilians, four of whom reside at Accra and Anamoboe, nearly all being justices of the peace for the forts and settlements, holding the highest positions on the Coast.

Two Members of Cape Coast unable to attend.

4. I should have called on two other gentlemen of this place without troubling gentlemen from Accra, &c., had not the Honourable George Blankson and Mr. Cleaver been ill, and could not in consequence attend.

The Governor's first sight of the row.

5. I dined at mess on the night of the 4th ult., and was leaving for this house, in my uniform as colonel, at seven o'clock, when the greatest commotion was apparently going on inside the Castle amongst the soldiers, whilst two of their comrades were being brought in on stretchers, one supposed to be dead, and literally almost wholly covered with blood. I attended to this man for some time, with Drs. O'Callaghan, Oakes, and Skues; also Dr. Fox, through whose exertions he was brought round, and has been in hospital ever since. Dr. Oakes being present as a special member of this Council, he will give you a better detail of the case than I can.

Major Ivey's steps to quell the riot.

6. Major Ivey fell in, he informs me, with rifles and side arms chiefly, a party of 20 men, or so, to bring to barracks all soldiers found in town, especially as many of them, from being quartered close to the very spot where the riot occurred, Low Town, for the want of accommodation in proper barracks, were evidently mixed up with the Fantees drinking that night, while celebrating their yam custom, and got into their houses, and did much disgraceful mischief, no doubt, and thereby brought great scandal on their hitherto well-conducted corps, as Governor Pine testifies to in his Despatch to Horse Guards, more than during two years here, all of which period they have been cut off from all friendly association with their own countrywomen, which has been the cause of the greatest jealousy amongst the Fantees and themselves for the liberties taken (on exciting occasions of drink) with their wives, pawns and slaves, who follow the soldier in preference to the former, for sake of pay and rations, which the soldier shares with them. Governor Pine and myself have for a long time been aware of this evil, and had even some correspondence on the subject, the only remedy for which, we concluded, was the removal of the troops back to their own country: political measures, however, then did not admit of it, although in less than a month's time now a considerable reduction in troops will take place in this command.

Supposed origin of riot.

One act tending to incite the soldiers.

7. It was unfortunate that the brother of the wounded soldier should have been the corporal on duty on the Castle gate that night: just as the stretcher passed, when I had to send him away to look after his brother, instead of crying out, "My brother has been murdered by Fantees," at a moment, too, when there was upwards of half the regiment out in town for their afternoon's recreation, and many of them were in the row.

One soldier still missing since the night of the riot.

8. On the 5th or 6th of September, one or two days after this riot, I was informed that a soldier had been killed that night, and whose body could not be found; I caused a court of inquiry to assemble, which was done. The court have confirmed the report upon evidence that goes to show that he was last seen when the row took place, at about half-past six or seven o'clock on the night of the 4th, since which nothing whatever has been heard of him, a case I have reported to England; and it is unfair to the prisoner, therefore, that these facts, known to every one connected with the regiment, were not introduced at his trial, as they would go to show, at all events, that the deaths of the two Fantees had some connection with the disturbance, and thereby reduce the crime from that of wilful murder. The Chief Justice, I am informed, charged the jury to this effect; and as his Honour is in attendance, I will ask him whether such was the case, viz.: "The fact of the prisoner's turning out as one of a party was unlawful." If this formed part of the charge, I fear that the jury must have been somewhat influenced by it, as implying that marching out to quell a row between their comrades and civilians under their officers. If this be correct, how can the act be unlawful? as, for the prisoner to refuse to join his comrades under arms, he would be liable to suffer death for disobedience, under the 30th Article of War, which I will now read to you, gentlemen.

The legality of marching soldiers out of quarters to quell riots.

9. I also beg to read a paragraph from the Queen's Regulations and Orders for the Army, quoting the opinion of the present Earl of Ellenborough, as one of the most eminent legal advisers that England possesses, who says, "In cases of sudden and great emergency,

emergency, the military, as well as all other individuals, may act without their presence (magistrates), or without the presence of any other peace officer whatsoever."

Animus of natives against military since the riot.

10. The greatest excitement has prevailed amongst the Fantee portions of this town against officers and men of the army since the night of the 4th September, and appears still to be the case, or it would not have been brought to my knowledge (since sentence has been passed on the soldier) that they intend to insist on his execution being carried out, under the penalty of being petitioned against and reported to England. I may see that the execution is carried out, as Her Most Gracious Majesty's representative, and I may see fit, according to the dictates of my conscience, to act otherwise, without being coerced by the threats of the most petty king and tribe in the Protectorate (Aggery) however much they may feel displeased.

Threat of inhabitants to insist on the execution of the sentence of death on King.

Insubordinate conduct evinced by King Aggery towards Her Majesty's Government.

11. King Aggery, poor man, has had a most unfortunate reign, I must say, since February last, when he was acknowledged by my predecessor as King of part of the town of Cape Coast, since when, in April only, he at a public meeting in the school of the Wesleyan Mission House, recalled his approval of his being King for mutinous conduct; which attitude he has perseveringly followed up, to this hour, I am sorry to state, evincing a bad spirit against Her Majesty's Government, endeavouring, through his late Commissioner, Mr. Martin, to England, to impress that noble-minded people to think he is the King of the Gold Coast, where there are 50 greater men in similar capacities, not one of whom will notice his instructions or suggestions, all being most obedient and loyal to Her Majesty's Government. King Aggery has written to me in a manner calculated to induce me to take steps (as he thought) to have all troops removed from the Protectorate; to which I replied, that I could not hold out to him any hope of being able to do so, so long as I saw such a tendency towards disloyalty on the part of natives pretending to be high in office; whilst again, only on the 12th instant, he sent me a letter for Mr. Cardwell, reporting myself and the military for the doings of the night of the row, circumstances I should not have touched upon here were it not that I deem it necessary to show the animus and feelings of himself and few followers against almost every act we do connected with this business, which he will not allow to take its legal form; even, it seems, not being satisfied with the verdict and sentence passed on the unfortunate soldier; whilst he forgets that at Commendah last year, 14 persons were shot deliberately, and nearly 100 wounded during the Yam Custom, followed by four more in September at Munsford, with 63 wounded, of which lawlessness not a particle of notice has been taken by anyone; and if the present case before us is wilful murder, those were much worse. Moreover, as King Aggery accuses myself, Major Ivey, officers, and men of his regiment of being mixed up in these riots, I think this a proper opportunity of explaining how far that is correct, being on solemn oath in Council, viz.:

The King reports the Governor and military to Mr. Cardwell for their doings in the riot.

Lawlessness of the natives during Yam Custom; 16 men shot, 63 wounded.

The Governor's evidence on oath. What occurred to his knowledge in the riots stated to Council.

12. I was leaving the Castle at seven o'clock for this house; I saw an armed picquet, under Major Ivey, composed, as nearly as I can judge, of two or three officers, and about 25 men, march out, proceeding towards Low Town, in sections of fours, in regular order; I heard a great noise in that quarter; I followed the party in company with Paymaster Doorly, who is a justice of the peace; the soldiers doubled when about half-way, on others who were out, crying aloud, "Our men (meaning soldiers) are being killed in the houses about Low Town. I got there as soon as the picquet, and ordered them to halt, and stand at ease under their officers, placing three of them at about 50 yards' distance from each other along the street, to keep order, there being not more than two or three Fantee constables to be seen anywhere out of 10 or 12 scattered over the place. One soldier I placed in front of a house, from the windows of which a stone of three pounds weight was thrown at my own orderly serjeant, who was struck by it in his back; there a constable was also stationed by Mr. Doorly, not to allow anyone to go in or out, in order to find out who threw the stone, which was possibly intended for me instead of the serjeant, who was close to me at the moment, and who showed the stone to me on arrival at Low Town. I saw but one person, a civilian, in possession of about 12 soldiers, who was, they said, one of the party who was in the riot; I ran up and separated the party, giving him in charge of a constable, who took him into the Castle as a prisoner, fearing the soldiers about town might that night do harm at the station-house, owing to the inefficiency of the place and the force, which is only a mere name for it.

Paucity of constables in town.

Stone thrown from a house struck a serjeant 4th West India Regiment.

Civilians confined by constables in the Castle.

Want of energy displayed by the Mayor.

13. I saw Mr. Thompson, the so-called mayor of the town, and several other persons belonging to King Aggery's household, whom I addressed warmly, for not having been out sooner, and rendered assistance in keeping the peace; and I also addressed myself to Mr. Bartels, whom I saw in the window, just over the very spot where the row took place, forgetting he was a Dutchman, belonging to Elmina; and, after about half-an-hour, I had the picquet and sentries marched to the Castle, where I remained with other officers till about 10 o'clock, as several soldiers belonging to the hired houses were still absent in houses, no doubt, and who, I have every reason to believe, caused the greatest part of the mischief, if the truth was known, whilst the men under officers did not, nor could not, have done any harm whatever, but, on the contrary, good.

Soldiers residing in town supposed to have caused the mischief.

14. The men residing about town may have had recourse to their bayonets, there being no officers to prevent it, both in the early part of the row and at its end, which accounts for the deaths of the two Fantees.

Steps taken to recall the soldiers to barracks.

15. I had the assembly sounded by all the buglers at about half-past seven o'clock, p.m., but finding it was likely to be misunderstood, I ordered the "last post" to be sounded, calling everyone to their respective quarters for the night, as eight o'clock struck, thereby bringing them in an hour sooner than usual, and caused the gates of the Castle to be closed on all except the two companies living in town. Up to this time the only wounded I saw were soldiers, with the exception of a civilian, bleeding from the shoulder, whose wound I made Drs. O'Calaghan and Skues examine, which they did as well as they could, saying there was not much the matter with him; I had himself and several others placed for the night in a barrack-room inside the Castle, under three constables, and saw that a tub of water and a vessel to drink out of, were supplied to them, and that no communication was to take place between themselves and soldiers until inquiries could be made next day into the rights and wrongs of the riot; in the meantime, however, the man with the supposed slight wound died during the night.

One civilian badly wounded.

Civilians confined in the Castle under three constables.

Native died of wounds.

16. I remember another Fantee prisoner having been brought to where I was standing, in company with Quartermaster Everard, Deputy Adjutant Commissary General Elmes, and other persons, with his hands tied with his cloth behind his back, which I ordered at once to be untied, and the man placed in charge of constables; still I cannot distinguish one man from another that night, so far as the riot was concerned, and thinking, as all other officers did that night, that the injured party were the soldiers, felt no great uneasiness until the following morning, when I discovered the difference.

Soldiers supposed to be the injured party.

History of the row linked to King's conviction.

17. You have now, gentlemen, heard from my own lips, so far as I know, the history of this affair, which is most undoubtedly linked to the trial and conviction of the prisoner King, who is to be executed this day week, unless it shall be otherwise decided by this Council.

Demeanour of the jury.

Jury allowed to go to their homes each day of the trial.

Prisoner King struck a blow on leg, as sworn by a witness whom he also struck.

Deceased died of wound in the lung caused by a bayonet or sharp instrument.

18. And it is but just to the unfortunate that I should call your especial attention to the law with regard to the demeanour of juries, as laid down in Burns' "Justice of the Peace," vol. 3, p. 971, by which the jury cannot, by British law, be separated until after having given their verdict, much less allowing them to eat and drink in their respective homes, scattered about town, in conversation with witnesses for the prosecution. I say, gentlemen, that allowing the jurors to so act was most prejudicial to the convict, a black soldier unable to defend himself. Couple this fact with his having been proved to have struck the deceased a blow on the leg with a club, by a witness, whom he also struck, it appears Dé Graph, whilst the medical testimony goes to prove that the real cause of death was the wound of a sharp instrument which penetrated his lung, instead of the blow on the leg, as proved by one witness only, and that the very man he struck.

Prisoner had his arms and accoutrements, and yet struck deceased with a club.

19. Moreover, as I know the prisoner had his arms with him that night, I think it strange that, if he wanted to kill the man, he should have put them oneside to pick up the club with which he is said to have struck the blow on the leg.

British law as meted out on the Gold Coast on trials of life and death. Jurors do as they please.

20. Captain Doorly, paymaster of the regiment, and justice of the peace, can give you a statement, on his solemn oath, revealing the scene in Court on the day of the prisoner's conviction, in which the jurors joined, and which will enlighten Her Majesty's Government hereafter, and show how British law has been meted out on trials for life and death on the Gold Coast, where, it appears, the jurors and others can do as they like under the eyes of a British judge, whilst in England, and other civilised parts of Her Majesty's possessions, you would not hear a pin drop on solemn occasions as this was, while a jury were giving their verdict.

No excuse for want of accommodation, jurors having to go home (in trials).

21. His Honor the Acting Chief Justice, may tell you that his allowing the jurors to go to their homes every evening during the trial was customary here, or possibly for want of a room to accommodate them, under some kind of restraint. Should such be his replies, I cannot admit them as reasons for such a proceeding in a British Court; and, as you know, gentlemen, what Gothic House is, I need only say that ample room could have been found for the carrying out fully British law as it is intended, with demeanour and propriety, and in common justice to the prisoner whose life is to be forfeited.

Details unknown to the Council before.

22. I have gone into this case at great length, and have detailed many facts that you may not have known before, which is now open for your deliberation, leaving me to say that I feel sure you will dismiss from your minds all you may have heard during the excitement, which has existed out of doors; and if there is any doubt upon your minds, respecting the man's guilt, give him, like everyone so situated, the benefit of it.

Chief Justice reads notes of evidence taken in the trial by himself.

23. His Honor, the Acting Chief Justice, having been summoned specially to attend, is here introduced, and is called upon by his Excellency to explain, whether, in his opinion, there existed any reason why the law in this case should not take its course. By permission however, his Honor first reads to the Council the whole of the evidence taken by him on the trial, in order that the gentlemen present might the more thoroughly understand the case; on conclusion of which his Excellency said, "I wish to ask the Acting Chief Justice if he considers there is anything in the case to recommend the convict to mercy?" To which his Honor replied:

Chief Justice states mitigating circumstances.

24. That the prisoner acted in concert with others, and that the ferocity which led the others on, might lead him also to do more than he intended; that it was his belief the man did the deed in a passion; he had no provocation. However, the law was, if people

act

act in concert, and if one of the party beat a man, and that man dies, all the party are liable for "murder."

Question by the *Lieutenant Governor*.—Was the English law carried out with regard to the demeanour of the jury?

Answer.—No, because there was no means of accommodating the jury; I find that no murder case here has ever before lasted longer than one day (one at Accra excepted), and in that instance the Chief Justice acted similar to this case. The only course hitherto adopted is to lock the jury up in the Court-house. The Acting Colonial Secretary suggested a room in Gothic House; still I consider there was no fit accommodation there. The act of the soldiers going out was not illegal.

Chief Justice gives reasons for jurors going to their homes when engaged on trials.

Chief Justice considers there is no proper accommodation for jurors.

25. I was certainly much aggrieved at the conduct of the jury when they returned to deliver their verdict; they were exceedingly noisy. On which occasion I asked Mr. Adams, as foreman, whether each of the jury were in a fit state to bring in their verdict? I expressed myself to them, also, that the noisy manner in which they behaved was most improper. Mr. Adams replied to me that each was in a fit state.

Improper and noisy conduct of the jury when giving their verdict.

26. I think the present case of murder is not of that dark nature which demands the extreme sentence of the law, and that there are mitigating circumstances attending it; the soldiers went out, in the execution of their duty, to suppress a riot, and the prisoner being one, may have acted in excess of his orders, besides other circumstances attending the history of the row.

Chief Justice does not consider this case demands the extreme sentence of the law.

27. The Queen's Advocate (acting) said, if the prisoner was in the execution of his duty, it would palliate the circumstance, of course; and he had to complain of the conduct of the jury during the trial.

Queen's Advocate complains of the jury's conduct.

28. The Chief Justice (acting) here handed to the Council a letter he had received from Mr. Adams on the 10th instant, assuring his Honor, "the circulation of the report, that the gentlemen composing [the jury], in the trial of King for murder, when the verdict of wilful murder was brought in against him on the 9th instant, had largely partaken of spirituous liquors, during their deliberation, thereby reflecting on their verdict, was wholly without foundation." The Chief Justice then withdrew.

Letter from foreman of jury exculpating the jurors.

29. The Council then proceeded to discuss the case, its merits and demerits, particularly the conduct of the jury. The Acting Colonial Secretary, who was present during the trial, on the bench, complaining of their wild and irregular conduct, and that it was his opinion that the jury were under the influence of liquor when they delivered their verdict. The Acting Colonial Secretary further proceeded to state, that he wished to say a few words on oath, with reference to the whole of the circumstances attending this case, when he was interrupted by the Acting Queen's Advocate, who stated, as Mr. Doorly, Acting Colonial Secretary, had declined (on the plea of being present on the inquest of deceased, as coroner) to give evidence on the trial, he strongly objected to his giving his evidence now.

Discussion of Council on the case.

Evidence of Acting Colonial Secretary in the case objected to before Council.

30. His Excellency did not see the necessity of receiving any further statement from the Acting Colonial Secretary, and proceeded to put it to the vote, whether the present sentence passed upon the prisoner should be carried out or not.

Lieut. Governor puts it to the vote whether sentence of death is to be carried out or not.

31. Mr. *Ridley* states,—I concur with the opinion of the Judge, and vote for mercy being extended to the prisoner.

32. Mr. *Gunnell* states,—I am of Mr. Ridley's opinion; I do not think the murder was intentional, but committed under excitement.

Opinions of the members of Council on the case.

33. Dr. *Oakes* states,—I am of the same opinion and that the extent of mercy be left to the Lieutenant Governor.

34. Mr. *Brew* states,—I coincide with the Chief Justice's opinions, and recommend mercy.

35. Mr. *Irvine* states,—I am of the same opinion, and recommend mercy.

36. Mr. *McIntyre* states,—I think the evidence proves that the man was not acting under orders; that all the evidence the prisoner brought in his defence convicted him; and if circumstances of mitigation be taken into consideration, they ought to be slight. I was in court myself, heard the case, and there was no evidence in favour of the man; he could not account for himself the hour the murder occurred.

37. Mr. *McAlister* (Acting Queen's Advocate) states,—I concur in the verdict of the jury, and believe King guilty; and inasmuch as the jury did not recommend him to mercy, and the Chief Justice concurring in the verdict, and their being no fresh evidence adduced in Council, I am of opinion the sentence ought to be carried out.

38. The Acting Colonial Secretary, Mr. *Doorly*, said,—That at the coroner's inquest, the wife of the deceased states, that her husband was bayoneted inside the house, but could not recognise the man; and that King was identified, and convicted on the testimony of one man (Degraft), and that man King himself knocked down in the same row; he, therefore, was of opinion that the extreme penalty should not be carried out; but, being one of the party who committed the murder, the next most severe punishment he should receive.

His Excellency commutes sentence of death.

Recommendations to future Governors in reference to this case.

39. The majority of votes, therefore, carried that the sentence of death pronounced against the prisoner should not be enforced. His Excellency the Lieutenant Governor decided, in consequence, the sentence be commuted to imprisonment with hard labour for the term of his natural life; such being in accordance with the powers invested in him as Her Majesty's representative. Further recommending that future Governors will not remit the sentence, and that under no circumstances shall such an idea be entertained even, till after the expiration of seven years, and then only after such period of uninterrupted good conduct on the part of the criminal.

The Court is here adjourned *sine die*.

Alphonso Cary, Lieutenant,
Acting Clerk of Councils.

Enclosure 5, in No. 7.

Encl. 5, in No. 7.

PROCEEDINGS of a Regimental Board, assembled at Cape Coast Castle, on the 19th day of September, by order of Major G. J. Ivey, commanding Her Majesty's 4th West India Regiment, for the purpose of ascertaining, as far as possible, what has become of No. 214 private, John Wheeler, B company, absent since the night of the 4th instant, and who it is supposed was murdered in the riots which took place on that night.

PRESIDENT:

Brevet Major D. O'Brien, 4th West India Regiment.

MEMBERS:

Lieutenant R. M. Pilcher, 4th West India Regiment.
Lieutenant G. H. Cary - - ditto.

THE Board, having assembled pursuant to order, proceed to inquire into the cause of absence of No. 214, Private John Wheeler, of the 4th West India Regiment.

1st Witness, No. 22, Serjeant Major *Samuel Gibson*, of the 4th West India Regiment, states,—On the 4th of the present month, between five and six o'clock in the evening, at Anamoe's house, at Cape Coast Castle, Private John Wheeler was seen pass through the gate leading out from the house into the town, by several of the non-commissioned officers and men of his company; on the day mentioned Anamoe's house was occupied as a barrack by the B company of the 4th West India Regiment. Private John Wheeler has not been heard of since the time he left the barracks of his company, between five and six o'clock, on the evening of the 4th of the present month.

2nd Witness, No. 219, Serjeant *Henry Williams*, of the 4th West India Regiment, states,—On the evening of the 4th of the present month, I saw Private John Wheeler pass out of the barracks occupied by B or No. 2 company of the 4th West India Regiment, between the hours of five and six o'clock; Private Wheeler was not on any duty on the 4th instant, and, when I saw him leave the barracks, was dressed as usual in uniform. When I last saw Private Wheeler I noticed nothing strange about him, and he appeared to me as if only leaving his barracks for the purpose of an afternoon walk; on the 4th instant the B company of the 4th West India Regiment occupied, as a barrack-room, a building called Anamoe's house, distant from 400 to 500 yards from Cape Coast Castle.

3rd Witness, No. 68, Lance Corporal *Henry Bruce*, of the 4th West India Regiment, states,—On the evening of the 4th of the present month, between the hours of four and five, I saw Private Wheeler, of the 4th West India Regiment, leave the barracks occupied by his company (called Amoo's house); I noticed that he was dressed as usual in uniform, and appeared as if going out for an afternoon walk. Amoo's house is a building that was occupied as a barrack-room by B company of the 4th West India Regiment on the 4th instant. The house is about 10 minutes' walk from Cape Coast Castle. I did not see Private Wheeler again after the hours I have named, nor do I know what has become of him; I know that he has been absent from his company since the evening of the 4th of the present month.

Serjeant Major *Samuel Gibson*, being recalled, is questioned by the Board:

Question.—State what you know of Private Wheeler's character, and, from what you know of him, whether it is likely that his absence from his regiment is a case of desertion?

Answer.—I know Private Wheeler very well, and in my position, as his company serjeant major, have opportunities of being able to speak with certainty as to the probable cause of absence of any man of the company to which I belong; Private Wheeler's return to his barrack-room was very regular.

Opinion.—The Board, from the evidence before it, are of opinion that the cause of absence of Private Wheeler, of the 4th West India Regiment, from the evening of the 4th instant,

instant, in considering Private Wheeler's character and his known way of conducting himself as a soldier, and in the absence of any evidence to the contrary, attributable to violence done to him during the late riot on the 4th instant.

(signed) *D. O'Brien*, Brevet Major, President.
R. M. Pilcher, Lieutenant, } Members.
G. H. Cary, Lieutenant, }

Detailed Statement of the Cases of Soldiers Wounded in the late Riots.

1. *Private Braffit.*—I saw this man at about 7.30 p.m. on the evening of the 4th instant; I found him in a dying state, the result of a severe beating he had just received; his head presented a shocking spectacle, having been cut and bruised to a great extent; the left cheek was swollen; soon after being brought in he became insensible; the surface of the body generally was cold; pulse scarcely perceptible; he continued in this condition for a considerable time, and it was owing to the most unremitting care and attention that his life was saved. He was admitted into hospital on the morning of the 5th instant; for several days he remained in a dangerous state; he is still under treatment, and, although improving, will not be fit for duty for a long period.

2. *Private Beckles.*—This man was brought into hospital on the evening of the 4th instant; I saw him about 9.30; he had received a fracture of one of the bones of the right fore arm, and was severely bruised about the back. He is still under treatment, and will not be fit to return to duty for a considerable time.

3. *Private Banister.*—This man had received a severe cut over the elbow joint, dividing several vessels, which bled profusely; he is now quite recovered.

4. *Private Jordan.*—Cut over the head; he has returned to duty.

5. *Serjeant Williams.*—Cut and contused about the head; he has returned to duty.

(signed) *F. Oakes*, Staff Surgeon, P.M.O.

Cape Coast Castle, 19 September 1865.

(M. 429.) Commissariat, Gold Coast,
Cape Coast, 21 June 1865.

Sir,

I regret to have to report that a most brutal outrage was committed last night on the cattle under my charge, seven of the unfortunate beasts having had their tails cut off.

I have the honour to request you will be good enough to move the officer commanding to allow of a sentry being put on at night over the Cattle Shed, to prevent a recurrence of such brutality.

I have, &c.

The Fort Adjutant, (signed) *Sidney R. Brown*, D.A.C.G.
Cape Coast.

Enclosure 6, in No. 7.

Magistrate's Court, Cape Coast, 19 September 1865. Encl. 6, in No. 7.

Before *F. C. Grant*, Esq., *A. B. McIntyre*, Esq., and *J. D. Macalester*, Esq., Justices of the Peace.

Queen *v.* George James Ivey, Major in Her Majesty's 4th West India Regiment.

Plaint.—For having on the night of the 4th of September 1865, at Cape Coast, incited and ordered the soldiers of the regiment under your command with an arm to commit a breach of the peace; trespass on Her Majesty's subjects; by illegally entering the houses of Cudjoe Sago and Cofee Chee; and also for illegally arresting one John Addaquay, being a peaceable subject of Her Majesty; and other wrongs then and there did commit against the peace of our Lady the Queen, Her crown, and dignity.

Plea.

W. Z. Coker handed in permission from the Governor to appear in his robes. John Addaquay, being sworn, states, that on the night of the 4th of September, I was coming from my uncle's place, and I came to Ed. A. Sago's gate; I saw a number of men and

women running from house to house; I did not know the cause of their running; I met some soldiers at Sago's gate with Major Ivey; the soldiers seeing me, tried to catch me; and I shouted to Major Ivey, who said, Who are you? I replied, the colonial printer; and he told some of the men to catch hold of me, and not to let me go; he then drew his sword and went up the steps; whilst he was going I said, You will only find women upstairs there; he then said, I do not care, man or woman, but whoever the soldiers catch they must strike them with bayonets; afterwards he marched me down with the soldiers to Cofee Etchees' place; when we entered this place he drew his sword and attempted to ascend the steps; and whilst ascending he nearly fell down. I heard the noise of some glass ware being broken by the soldiers who went up with him; Major Ivey, however, returned without any prisoner. The soldiers, myself, and Major Ivey returned to No. 5 Company's post; when we reached there some of the officers told the soldiers to keep sentry there; immediately after this the Colonel himself came to the spot. About five minutes afterwards a constable named Baynee also came there. The Colonel asked him if he had proper uniform; the constable replied, that's all the dress he had.

Cross-examined.—No civilian was with me at the time; no soldiers heard the expressions made by Major Ivey; the Major spoke loudly.

Cross-examined by the Court.—I was detained about half-an-hour.

Cross examined.—I was pushed by one of the soldiers. The soldiers took charge of me. I did not give you the names of the witnesses, because what happened to them at the time I referred they were not witnesses to; Major Ivey was then called upon.

John R. Howell, serjeant major, 4th West India Regiment, being sworn, states that I remember the 4th instant, on the evening; I went out of the barracks at that evening, and I saw a native by the name of Addaquay. I know he was drunk (Addaquay). I saw Addaquay outside of a large house; he called for Serjeant Williams; he was drunk at the time. I know him well, and have known him for 12 months. I was told he had been drinking rum, too much; he was not arrested in my presence. I did not hear Major Ivey order the men, or say anything to incite them to commit any violence.

Cross-examined.—When I take out a picket during a row it is to apprehend soldiers, and all other persons concerned in the row. They go out to assist the civil power. I was with Major Ivey the second time; it was about 15 minutes to eight o'clock. I went inside one house, who invited us to enter; this was Quansah's house. Major Ivey then states that he took out about 20 soldiers, eight with guns, 12 without guns. When the news reached us we were at mess, and gave orders for the soldiers at Amamoo's to barracks.

Cross-examined by *Queen's Advocate.*—I received no orders, but knew my duties as a soldier. I went out with Major O'Brien. Major Ivey was in command of the picket. I heard the Major say the soldiers were not to hurt anybody. I cannot say if I did hurt anybody; I did not see anybody hurt.

I got no direct [orders] to go out. The picket was ordered out by the commanding officer. I went out with arms, viz., a sword; I have no other arms but a sword. The picket had not got their guns loaded; they had ammunition. No one ordered him to join the picket, and was not in command of any men at all.

Shortt, the constable, was present. It is usual for a serjeant to give a picket without direct orders. I arrested no soldiers. I ordered some 50 soldiers into barracks, and did not meet any straggling soldiers. The bugle was sounded to call the soldiers in (by order of the Govenor); I do not remember seeing anybody struck; I saw no signs of the disturbance, except some soldiers having been brought into barracks; one of them was supposed to be dead. I saw one man with arms; a pouch and a belt round him; a gun and ammunition. I examined a gun that was brought in, and saw that it had been recently discharged. I did not hear the report of a gun. I saw a body of civilians approaching the Castle that night. I had a sword handed over to me which was taken from a man. The civilians I met were not noisy; not riotous; I asked them what they wanted; they said, to see the Governor. I think there were 26 civilians handed over by the constable to be kept in safe custody by the soldiers. I was at J. W. Good's house about half-past six o'clock, and remained about five or 10 minutes. I knew Addaquay was drunk from the manner he talked, and I smelt the liquor; I never saw Addaquay drunk before, and I was surprised then to see him drunk.

Quartermaster *Serjeant Foley,* being sworn, states, that on the night of the 4th, I had previously gone out with a party in my own charge, and they returned to the barracks without seeing any disturbance; this was between six and seven; about a quarter of an hour afterwards a soldier was brought in wounded; the bugle sounded again for the troops to fall in. I saw Major Ivey enter a house near Cofee Coomah's well. I saw John Addaquay this night, who came through a lane at the back of this house, and he called out, Where is Serjeant Williams? from his manner I think Addaquay was excited; I would have taken him if he had not said Serjeant Williams was his friend; Addaquay appeared drunk; he was not made prisoner.

Major said, when two women were seen in the yard, Don't hurt them. I was out 15 minutes to 10 that night.

Cross-examined by *Queen's Advocate.*—I received an order from the Acting Adjutant Arrow Smith to quell the disturbance existing in town, and to take up either soldiers or civilians

civilians engaged in the same; I saw prisoners taken into the Castle; all look frightened; one man I saw was wounded, and saw the doctor examining him. I assisted in examining a gun which had been broken; I received no orders from Major Ivey, but from the Acting Adjutant.

Serjeant Major *Samuel Gibson*, being sworn, states, I was with you on both occasions the night of the row; I heard no orders given to the men by you. On the evening of the 4th September I went with a picket in charge of Major Ivey between seven and eight o'clock from the barrack gate towards the canoes, and did not stop until we came to a place (a kind of rivulet); on arrival at the gulley there was no one to be seen. The picket was then marched to the Castle under orders of Major Ivey; it was just dark at this time; the second time we took the same direction, where two pickets met; we in charge of Major Ivey, and the other in charge of Arrow Smith. We did not enter any house except where a woman showed us blood in a calabash; I do not know Sago's house; I know Addaquay, and I saw him that night at the gulley. Addaquay was drunk at the time; I saw him (in the picket); I received orders to confine them in barracks; about three men* belonging to my company were brought in wounded before any picket was ordered out at all. Serjeant Williams had his head cut; and when his wounds were dressed he went out with a second picket; about eight days previous to this row I gave a soldier three days' cells for kicking his foot against a calabash belonging to a woman who was sitting selling at the road side.

* Soldiers.

Cross-examined by *Queen's Advocate.*—I was that night under the orders of Major Ivey. Addaquay used the words to me, that he was Government printer; he was then amongst the picket with his friend, Serjeant Williams.

Serjeant *John Leecock* being sworn, states, that I was with Major Ivey on the second occasion of his going out. I followed the major all the way behind. The major said, March on quietly; and we marched on and stopped nowhere until we got near Amamoo's house; I saw nobody go into any house.

Judgment for Defendant. Summons dismissed.

(signed) *F. C. Grant*, J. P.
A. B. McIntyre, J. P.
J. D. Macalester, J. P.

Enclosure 8, in No. 7.

Encl. 8, in No. 7.

Sir, Cape Coast Castle, 18 September 1865.

Deeming it my duty, I have the honour to report, for your Excellency's information, that a summons has been issued against me to appear before the magistrates of this town to-morrow at 11 o'clock, a.m., to answer the following charge, viz.: "For having marched and ordered the soldiers of the regiment under my command with arms to commit a breach of the peace, &c., &c."; and as a picket was only ordered out for the purpose of quelling the riot, and bringing any of the men of the regiment found in the streets or houses into the Castle (several of them having been dangerously wounded), I beg most respectfully to place the regiment and myself under your protection as Governor and officer commanding the troops on the Gold Coast.

I beg further to bring to your notice that a soldier of the regiment has been missing ever since the evening of the 4th instant, the night of the riot, and is supposed to have been murdered.

I have, &c.
(signed) *George James Ivey*,
Commanding 4th West India Regiment.

His Excellency Colonel Edward Conran,
Commanding Her Majesty's Troops,
Gold Coast.

Enclosure 9, in No. 7.

Encl. 9, in No. 7.

Brigade Office, Cape Coast Castle,
Sir, 18 September 1865.

I beg to acknowledge the receipt of your letter of this day's date which has just come to hand, informing me, as Governor and Commanding Officer of the Troops, that you have been summoned to appear before the magistrates of this town at eleven o'clock to-morrow, on a charge of "having marched and ordered the soldiers of the regiment under your command with arms to commit a breach of the peace," wherein you state you only ordered out a picket for the purpose of quelling the riot, and bringing any of the men of the regiment found in the streets or houses into the Castle, several of them having been dangerously wounded, and begging that I will take the regiment and yourself under my protection; as well as having called to my notice that a soldier of the regiment is supposed to have been murdered, as he has not been seen nor heard of since the night of the riot.

In reply, I beg to inform you that as it is the duty of a commander to protect his officers and soldiers, you may rely on my doing so to the utmost of my ability and power.

But as Governor I must act impartially, and endeavour to mete out equal justice to all Her Majesty's subjects, whether soldiers or civilians, when mixed up in riots like the present one.

You will, however, on receipt of this letter, call upon your surgeon for a detailed report of each of the wounded cases mentioned in your letter, as I presume he has attended to them, and that he will be able to state their condition on being brought into the Castle on the night of the 4th, and at what moment, as far as possible, and as to how they are progressing at present.

And, as regards the soldier supposed to be murdered on that occasion, be pleased to assemble a board of officers, consisting of three senior, as soon as possible, for the purpose of ascertaining as nearly as they possibly can, from the testimony of his comrades and others, as to what has become of him, when and where last seen, and all such particulars, the proceedings of which you will cause to be forwarded to me through the Fort Adjutant.

In the meantime, for the ends of justice, I imagine it is the duty of the Acting Queen's Advocate to cause the usual summons to be issued for your attendance in court to-morrow, when it is presumed you will produce evidence proving the groundlessness of a charge of which, in my own opinion, no officer in the army could be guilty, much less a field-officer of your long experience while in the command of a regiment; and one, too, if I remember rightly, who took an active part years ago in the West Indies in quelling riot of a far more dangerous nature than the one in question.

I have, &c.
(signed) *Edward Conran*,
Colonel Commanding the Troops, Gold Coast, and Governor.

Major Ivey,
Commanding 4th West India Regiment.

Enclosure 10, in No. 7.

Encl. 10, in No. 7.

Sir, Cape Coast, 8 September 1865.

THE event that occurred in the town of Cape Coast on Monday the 4th instant, is of so deplorable a nature, and may, if not rightfully dealt with, result in such very serious consequences, that I feel it my duty, as the King of this town and its dependencies, to address your Excellency on the subject; a duty indeed to the conscientious discharge of which I am urged as much by my own sense of what is right, as by the universal wishes of the people of the district of which I am the principal native authority.

2. A frightful tragedy has been enacted in this town, the principal of the towns on the Gold Coast, and within the protected territory. The soldiers of the garrison have suddenly issued forth at night with some of their officers, and have treated this town as if they had taken it by assault in time of war. Houses have been broken open, their inmates dragged forth and slain or wounded, or beaten or taken to prison; property has been seized; neither sex nor age, nor rank nor condition have been spared, for among the victims are found male and female, old and young, rich and poor, sick and healthy. Men asleep in their beds by the side of their wives have been dragged out through the window and put to death with cruelties that make humanity shudder. An inquest has been held on the body of an unhappy man who was treated thus, and the jury have brought in a verdict of wilful murder against the party of soldiers who committed the deed.

3. God knows that it is no exaggeration to state, that on this fearful night the soldiers went about the town indiscriminately killing and wounding and beating unarmed and unresisting men and helpless women. The list of casualties, on the side of the people of the town, as ascertained up to the present, includes—

Killed:	
Men	2
Women	—
Total Killed	2
Wounded:	
Men	58
Women	5
Total Wounded	63

Bringing up the ascertained number to *sixty-five* persons killed and wounded, besides very many who were more or less severely beaten.

4. On the other hand I am informed that two soldiers were much beaten.

5. It is notorious, and, as I presume, not disputed in any quarter, that as some of the townspeople were holding their annual native festival in the Anahfo quarter, some soldiers rudely

rudely interrupted the festivities, and that a scuffle ensued. I appeal to the records of all the courts of the Gold Coast as to whether the natives are now, or ever have been, in the habit of either injuring, or insulting, or annoying the military. Unhappily, those records tell us too plainly and too often, that the soldiers have long been to us a constant source of great anxiety, and uneasiness and alarm, by their incessant and uncalled-for attacks upon unoffending persons in market-places or the highways, in the public streets, in private houses, by day and by night. All these things, which have become so common as no longer to excite surprise, we have long endured out of respect for the Queen's Government.

6. But the dreadful events of last Monday are too serious to be passed over lightly; we have confidence in your Excellency; we have a right to expect that the Government will cause the most searching and complete judicial inquiry to be made, so that the whole truth may be known as to how the unhappy affair commenced, how the two soldiers came to be beaten, how it came to pass that the troops in garrison at Cape Coast were, on the night of Monday the 4th of this present month, rushing about the town in detached bodies, some with, some without officers, armed with muskets, bayonets, and clubs, forcibly entering the houses of sleeping persons, slaughtering the Queen's subjects, taking away property, beating peaceful citizens, dragging human beings about like dead cattle, and creating such terror and confusion as will never be forgotten here. Not the least amazing circumstance connected with this business is, that several of my councillors who went out on Monday night to see what was the matter, and endeavour to put affairs to rights, were at once set upon and beaten by the soldiers, so that they had to fly for their lives.

7. I have been informed that some of the military authorities have required to know the reason why the King and his councillors did not go out sooner to stop the riot, or assist in stopping it. The King and councillors could not have foretold that this tragedy would take place that night. If they had foreknown it, most assuredly they would have taken precautions to prevent the sad affair. The councillors did go out as soon as they learnt the occurrence, but met with very rough usage at the hands of the troops. It was not a riot on the part of the people; it was an attack on the town by the garrison.

8. As the native Christian King of an African community comprising great numbers of Christians and many educated men, I appeal to your Excellency as a Christian Governor representing the best of Sovereigns. Soldiers and civilians, we are all alike subject to the Queen's authority; entitled to the Queen's protection of all the innumerable tribes, nations, and communities scattered over the globe which obey the Queen of England; are we, then, only we, condemned to constant ill-treatment at the hands of those who are sent to keep the peace here? We beseech your Excellency not to let it be said that British protection here goes hand in hand with the perpetration of such dark and dreadful deeds as were done in this town on Monday last. The natives of this country are truly grateful for British protection. Their feelings of attachment to England are strong; witness the facility with which hundreds of thousands of people here are governed by a handful of soldiers of their own colour, because these wear the Queen's uniform. Believing that to touch a soldier even in self-defence, is to touch the Queen, they have for a long time patiently submitted to a great deal of bad usage from the West India troops.

9. I close this letter with the expression of the profound and sincere respect I entertain for your Excellency, and my entire confidence in your energy, your impartiality, and your good feeling towards those whom you govern; and I feel certain that the Government will take such prompt measures as will tend to bring all the offenders, of whatever rank, to justice, dissipate the universal public alarm, restore public confidence, and re-establish a general feeling of security.

I have, &c.
(signed) *Aggery*,
King of Cape Coast.

His Excellency Lieutenant Governor Conran,
Gold Coast.

Enclosure 11, in No. 7.

(C. 804.)

Colonial Secretary's Office, Cape Coast, 11 September 1865. Encl. 11, in No. 7.

King,

I AM directed by His Excellency the Lieutenant Governor, Colonel Conran, to acknowledge your letter of Saturday last on the subject of the disturbance created on the afternoon of the 4th, which is about to be fully and impartially investigated, in a day or two, according to British law, as you will perceive on perusal of the enclosed documents.

This being the case, the Lieutenant Governor refrains from replying further to your long letter at present, and thinks, for the ends of justice, that you could not do better than to follow his example.

He desires me, however, to acquaint you, that with regard to that portion of your letter wherein allusion is made (or objection, rather, on the part of yourself and people,

to West India troops being stationed on the coast) that his Excellency fears, from the disloyal symptoms that have (according to Governor Pine and Major Mockler's reports) been brought to light, in which persons professing to be in higher positions appear to be mixed up, it would not be prudent to dispense with the services of Her Majesty's troops, or depend once more for peace and security upon another native Gold Coast corps.

His Excellency cannot therefore hold out any hope to you of these troops (sent here to save your people from the hands of a much worse enemy, the well-known Ashantees) being removed.

Governor Pine, in his despatches to England (his Excellency is happy to say), bears testimony to the excellent conduct of these very troops while stationed everywhere on the coast during upwards of two years, notwithstanding all stated in your letter (up to the 4th inst.); and as this disturbance is to be inquired into, matters must rest as they are until further unprejudicial information falls into the hands of the Government, enabling his Excellency to award even-handed justice to all parties.

It is a great misfortune, his Excellency admits, that a properly established police force has not been thought of heretofore, as, had such been the case, with an inspector as magistrate at its head, this row might have been stopped at its beginning, as what could eight or nine Fantee constables do in such a disturbance but keep out of the way (as they seemed to have done most carefully); and this force his Excellency intends to turn his attention to before long.

In the meantime, there need be no apprehension felt by the people of this town as to the soldiers being any more mixed up in disturbances, the Lieutenant Governor having taken steps on the 5th, which will for ever prevent (he hopes) a repetition of what has taken place.

I have, &c.
(signed) *Fredk. M. Shues*, M.B., S.A.S.,
Acting Colonial Secretary.

King John Aggery,
Cape Coast.

(C. 805.)

Colonial Secretary's Office, Cape Coast,
11 September 1865.

King,

I AM directed by his Excellency the Lieutenant Governor to enclose, for your information, copy of a letter of the 9th inst., from Mr. Brew, Civil Commandant, Anamaboe inferring that some person under your authority has been meddling with the deceased, Quamina Carcrah, upon whose body the Lieutenant Governor was about to order the usual inquest to be held, for which purpose he despatched to Anamaboe, on Saturday morning, the coroner and a medical officer, with a view to ascertaining the true cause of his death before a jury.

And as his Excellency has been informed that, under your directions, some person or persons had, on Saturday morning last, proceeded from here to Anamaboe, for the purpose of bringing into this town Carcrah's body in a canoe, prior to the inquest having taken place, I am desired to request you will be pleased (if such report be true) to acquaint me, for the Lieutenant Governor's information, by whose authority you have so taken the law into your hands, or attempted to bring into town the body of a man whom you state was killed by the troops, on the night of the 4th, renewing the excitement which it is your duty towards Her Majesty the Queen of England to suppress, instead of awakening it by parading the body through the streets of the town, as was the case a few days ago, when the funeral of the unfortunate man killed was paraded round the town, and up to the very castle gate, for no good purpose.

Now, King, I am, in conclusion, directed to inform you that such proceedings shall not be permitted to take place within the distance of cannon shot (as now laid down in the colonial regulations) of any of the following places again, within which range British law alone shall prevail, respecting, as far as possible, Fantee and native customs, relative thereto:—Dix Cove Fort; The Castle, Cape Coast; Anamaboe Fort; Accra—James Fort and Christiansborg.

And, as the Lieutenant Governor is not aware of there being any authorised corps of volunteers on the Gold Coast justifying them in mocking the funerals of deceased troops in Her Majesty's service, I am further directed by his Excellency to convey to you his wish that parades with music be for the future discontinued, as such exhibitions at present only give rise to fresh excitement, instead of allaying it; if you want, therefore, to prove your loyalty towards Her Majesty's Government, you can now do so by following the advice given to you and the people of the place by Her Majesty's representative.

I have, &c.
(signed) *Fredk. M. Shues*, M.B., S.A.S.,
Acting Colonial Secretary.

King John Aggery,
Cape Coast.

Enclosure 12, in No. 7.

Sir, Cape Coast, 12 September 1865. Encl. 12, in No. 7.

I AM requested by the King of Cape Coast, John Aggery, to acknowledge receipt of the various official letters addressed to him yesterday by order of his Excellency the Lieutenant Governor.

The King directs me to observe that having now conscientiously performed his duty, he is not disposed to enter into any discussions of a political nature. The King had nothing to do with the sending to Anamaboe for the body of Quahmina Carcra. That was an act of the deceased's family. The body of John Sanaiz was not paraded about town to cause excitement. It is the custom among the natives so to parade the coffin of every deceased person of any respectability. The marching of a few young men with music, in company with the body, is a practice always adopted when the deceased is a scholar. It never did any harm, was never interfered with, and no one ever considered it as intended as a mockery of the funerals of deceased troops any more than the fact of the natives crowding to chapel is a mockery of the religious rites of the Europeans.

In the absence of a regular secretary, the King has availed himself of my services as a temporary secretary as well as professional adviser.

I have, &c.

The Hon. the Acting Colonial Secretary, Gold Coast. (signed) *Charles Bannerman.*

Enclosure 13, in No. 7.

(Extract.)

"Government House, Cape Coast, "8 October 1865. Encl. 13, in No. 7.

"IN the matter of the Outbreak at British Commendah.

"Before Richard Pine, Governor and Commander in Chief of Her Majesty's Possessions on the Gold Coast.

"The rioters having submitted themselves to the decision of the Governor in the presence of the Chiefs of Cape Coast, Quashie Incroomah, the Chief of Commendah, made his statement as to the origin of the dispute between the two companies of his district, No. 1 and No. 5. His own account of his proceedings in the matter evinced that he had been guilty of mismanagement, that he was wanting in energy, decision, and power, and very blameable in not having more promptly informed the British authorities of the ill-feeling which was manifestly growing up between the companies.

"The chief's account further proved that No. 1 Company were the aggressors, and were principally the cause of the bloodshed which had occurred. That no less than 14 deaths were reported, besides nearly 100 wounded; and that No. 5 Company, although abstaining from hostilities until the last, joined in the melée, and suffered more than the rest."

(signed) *Richard Pine,*
Governor and Commander in Chief.

— No. 8. —

(No. 128.)

No. 8.
Lieut. Governor Conran to the Right Hon. E. Cardwell, M.P.
24 October 1865.

COPY of DESPATCH from Lieutenant Governor *Conran* to the Right Honourable *Edward Cardwell*, M.P.

Government House, Cape Coast, 24 October 1865.
(Received, 11 December 1865.)

Sir,

IN reply to your Despatch of the 22nd September last, No, 258,* respecting the conduct of King Aggery of Cape Coast, I have the honour to refer you to my Despatch of the 31st August, No. 91,† in which I hope that subject has been finally disposed of.

* Page 89.

† Page 18.

2. The King, although still a little troublesome, can be very well managed by a simple constable, much less a body of armed troops, as alluded to in Major Mockler's Despatch, No. 77,‡ of the 3rd of August, implying that when the troops returned from Lagos the decree would be enforced; enough, I admit, to cause uneasiness at the Colonial Office for the moment.

‡ Page 17.

3. But be assured, Right Honourable Sir, that I do not see the slightest occasion to call upon troops to aid the civil power on the Gold Coast anywhere, so obedient are every king and chief to this Government, except King Aggery, whose constant grievances I take no notice of, allowing them to wear out, as they are sure to do in time.

I have, &c.
(signed) *Edward Conran*,
Colonel Commanding Troops,
Lieutenant Governor.

— No. 9. —

(No. 129.)

No. 9.
Lieut. Governor Conran to the Right Hon. E. Cardwell, M.P.
25 October 1865.

COPY of a DESPATCH from Lieutenant Governor *Conran* to the Right Honourable *Edward Cardwell*, M.P.

Government House, Cape Coast,
25 October 1865.

(Received 11 December 1865.)
(Answered, No. 294, 23 December 1865, page 91.)

Sir,

I HAVE the honour to enclose a letter addressed to you by the King of Cape Coast.

2. I do not deem it expedient to make a separate comment on that portion in which I am charged with having headed troops to attack the town of Cape Coast, as I consider the point will be met by my other Despatches, especially No. 123,* on the subject of the riot, enclosing proceedings of my Executive Council.

* Page 20.

I have, &c.
(signed) *Edward Conran*,
Colonel Commanding Troops,
Lieutenant Governor.

Enclosure in No. 9.

Encl. in No. 9.

The King of Cape Coast to Lieutenant Governor Colonel *Conran*.

Sir,

Cape Coast, 11 October 1865.

I SHALL be greatly obliged by your Excellency's transmitting (for me) to the Right Honourable the Secretary of State for the Colonies, the enclosed communication.

I have, &c.
(signed) *Aggery*,
King of Cape Coast.

The King of Cape Coast to the Secretary of State for the Colonies.

Sir,

Cape Coast, West Africa, 11 October 1865.

I HAVE great pleasure in informing you, Sir, of the arrival home of Mr. Joseph Martin, my Commissioner. He has conveyed to myself and people the kind and good feelings and intentions which the Government of England bears towards the whole of the Fantee nation, and we are indebted and beholden to you, Sir, for the part you have taken in the inquiry instituted in Parliament, touching Western Africa. The King of Abrah, and that of Anamaboe, were present on the occasion when Mr. Martin gave an account of his mission. I have no doubt the results will be beneficial to the country. I would have assembled other kings at Cape Coast before now, but prior to Mr. Martin's arrival almost all the garrison (on the night of the 4th of September last) had been marched into the town, and had made a general attack upon the natives generally. Thus I have not been able as yet to make a gathering of the other sovereigns. Without entering into details, I will mention, that between 9 and 10 P.M. a large party of soldiers under charge of his Excellency Lieutenant Colonel Conran, Major Ivy, and other subordinate officers, made their appearance

appearance in town and committed the outrage in question; an outrage in which three natives were killed and upwards of 70 wounded.

In the hope that before now the Governor General has left England, and that on his arrival here every wrong will be righted,

I have, &c.
(signed) *Aggery,*
King of Cape Coast.

The Right Hon. Edward Cardwell, M.P.,
H.M. Principal Secretary of State
for the Colonies.

— No. 10. —

(No. 132.)

No. 10.
Lieut. Governor Conran to the Right Hon. E. Cardwell, M.P.
26 October 1865.

COPY of a DESPATCH from Lieutenant Governor *Conran* to the Right Honourable *Edward Cardwell,* M. P.

Government House, Cape Coast,
26 October 1865.
(Received, 11 December 1865.)

Sir, (Answered, No. 295, 23 December 1865, page 91.)

WITH reference to my Despatch, No. 114,* of the 7th instant, I have the honour to forward for your information, copy of the reply of the Chiefs of Cape Coast, expressive of their understanding as to the Queen's territorial jurisdiction here.

* Page 18.

I have, &c.
(signed) *Edward Conran,*
Coloel Commanding Troops,
Lieutenant Governor.

Enclosure in No. 10.

Encl. in No. 10.

AT a Palaver held at Government House, Cape Coast, 10 May 1865.

Present:—His Excellency Wm. Hackett, Lieutenant Governor.
The Honourable M. R. Barry, Acting Chief Justice.

Chiefs of Cape Coast.

J. R. Thompson.	Quamina Acquah.
Isaac Robertson.	Quacoe Gapee.
Quanima Mayan.	

Quamina Acquah states, on behalf of himself and chiefs, that with reference to the request of the Lieutenant Governor that they should sign a paper ceding a portion of the town of Cape Coast to the Government, after consultation, they had arrived at the following decision, which they desired should be interpreted to His Excellency:

> That they the chiefs and people knew that the lands in Cape Coast belong to the Queen; that they themselves are under the Queen, and are protected by her; that wherever the Governor resides in Cape Coast they considered as the Castle. That knowing these things, the people think it unnecessary for the Governor to make such a request, viz., that they should sign a document giving land to the Queen, when the Queen had for a series of years given and granted the said lands without any question on their part.

The Governor having previously explained to them that he had discovered in the records of the Government that lands were granted by the Government during 50 years past, the chiefs replied that the signing of paper is what is doubtful to them and people, but they wished to remain under the Queen, as they were under the late King, and that the signing of a paper had never been required by any of the Lieutenant Governor's predecessors; that every one knew the land to be the Queen's, and that therefore they begged the Governor to let them remain in the same position.

(signed) *W. Thompson,* Interpreter.

— No. 11. —

No. 11.

Lieut. Governor Conran to the Right Hon. E. Cardwell, M.P. 2 November 1865.

(No. 135.)

COPY of a DESPATCH from Lieutenant Governor *Conran*, to the Right Honourable *Edward Cardwell*, M. P.

Government House, Cape Coast,
2 November 1865.
(Received, 11 December 1865.)
(Answered, No. 290, 22 December 1865, page 90.)

Sir,

IN consequence of the impossibility of improving roads or streets in this place, from the swarms of huge pigs that are allowed to roam about rooting up the works as fast as they are built or repaired while soft, I deemed it necessary to issue a notice, copy enclosed, of yesterday's date, against their being permitted to go about, and hope it will have the desired effect without resorting to pass a short ordinance in Council as I intend to do if I should fail in this measure.

2. As the subject, although intended for the people's own good, may be complained against to England, as cleanliness does not give them a thought, I think it right to acquaint you with my doings now and then until affairs are righted, in which I find no difficulty whatever beyond this, that since the arrival of Mr. Martin from England on the 19th September last, King Aggery and his people have shown not the least disposition to assist this Government in improving the town, although prior to Martin's arrival they received large numbers of road implements from me for that purpose, as they then promised to assist, and actually commenced doing so in sinking a well which has been abandoned, leaving it to me to finish (which shall be soon done), although the poor people are in the greatest want of water.

This state of things with Aggery's people is caused, I understand, by Martin's having stated publicly in his Fantee speech shortly after his arrival that King Aggery had gained a great victory over this Government through his (Martin's) having revealed to the West African Committee the grievances of the people of the Protectorate, which he said they would soon be allowed to govern themselves according to Fantee laws, with the advice and assistance of white men, who would have to live inside the Castle and Forts, as all outside belonged to them. The result of this statement by the Commissioner has been to King Aggery's cause most injurious, as there is not a king or chief in the protectorate who does not feel annoyed at his presumption in having sent Martin to England without their consent, at an expense of 400 *l.* which falls on Aggery's small party, 300 *l.* of which they borrowed at 50 per cent. interest from a commissariat clerk here, not a farthing of which can he get back, because no one will contribute to the mission.

3. You are aware, sir, of my endeavours to bring about peace or proper understanding between the Ashantees and this Protectorate, but while doing so by means already reported to you, Mr. Martin called upon me with a message from King Aggery asking me to inform the King through him as to whether it was true that I was about to make peace, and as I considered it highly impertinent on the part of Aggery and himself to question me on my acts as Her Majesty's representative, I merely replied as follows, "Give King Aggery my compliments, and tell him to mind his own business, and not to interfere with mine."

4. This party is now perfectly harmless, and will be heard of but very seldom in future, as Aggery's reign has been one of misery and trouble.

I have, &c.
(signed) *Edward Conran*,
Colonel Commanding the Troops,
Lieutenant Governor.

Enclosure in No. 11.

NOTICE. Encl. in No. 11.

HIS Excellency the Lieutenant Governor having experienced great difficulty in making improvements in roads and other works in the town of Cape Coast for the good of the public, owing to the number of pigs allowed to roam through the streets rooting up and otherwise destroying them as fast as they are completed:—

It is hereby notified that after the expiration of 10 clear days from this date, any pigs found loose in the streets of the town of Cape Coast, Anamaboe, and Accra, will be impounded by the police, to meet which an ordinance will be passed by the Legislative Council to make it law, in order to put a stop to the nuisance.

By command,
M. Doorly,
Acting Colonial Secretary.

Gothic House, Cape Coast,
1 November 1865.

— No. 12. —

(No. 136.)

COPY of a DESPATCH from Lieutenant Governor *Conran* to the Right Honourable *Edward Cardwell*, M. P. No. 12.

Lieut. Governor Conran to the Right Hon. E. Cardwell, M.P. 6 November 1865.

Government House, Cape Coast,
6 November 1865.
(Received, 11 December 1865.)

Sir, (Answered, No. 291, 22 December 1865, page 91.)

I SHOULD not have troubled you with the report of the death of Coffee Affery, King of Anamaboe, which occurred on the 26th ultimo, were it not to contrast the feelings that exist towards this Government between the late king and people of Anamaboe and King Aggery, of this place, who wrote to the newly-proposed king (a boy), since the death, asking himself and people to join in a representation which he intends making to the Governor General on his arrival at Sierra Leone, against the administration of Governor Pine and myself, I am informed. *No. 1.*

2. The Anamaboes refused to comply, and sent me a letter of thanks (copy enclosed) for having caused salutes of seven minute-guns to be fired at Anamaboe and here, from the batteries, as the funeral passed, as a mark of respect. *No. 2.*

3. On the (boy) king being crowned, I will administer the oath of allegiance to him, which was somehow or another omitted in Aggery's case.

I have, &c.
(signed) *Edward Conran*,
Colonel Commanding Troops,
Lieutenant Governor.

Enclosure 1, in No. 12.

(421.)

Mr. *Brown*, Acting Colonial Secretary, to Mr. *Brown*, Civil Commandant, *Anamaboe*. Encl. 1, in No. 12.

Colonial Secretary's Office, Cape Coast,
1 May 1865.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 29th ultimo, reporting, for the information of his Excellency the Lieutenant Governor, that a person named Coleman De Graft has passed through Anamaboe, purporting to be a messenger from one John Aggery, styling himself King of Cape Coast, in order to incite the kings and chiefs to act in opposition to Her Majesty's Government.

The statements set forth by this man are wilfully false, and intended to mislead the native kings and chiefs. You did well therefore to caution them against believing such emissaries. May I add that this same John Aggery sent messengers to kings in the

western portion of the Protectorate for like purposes, but am happy to say they were not received or listened to, as they had no "cane" from the Governor to show that they were properly accredited. On the return of the Lieutenant Governor you will most probably receive further instructions on this subject.

I have, &c.
(signed) *Sidney R. Brown*, D.A.C.G.,
Acting Colonial Secretary.

A similar circular sent to civil commandants at Accra, Winnebah, and Dixcove, Nos. 424, 425, and 426.

Enclosure 2, in No. 12.

Encl. 2, in No. 12. His Excellency *Edward Conran*, Colonel and Lieutenant Governor on the Gold Coast.

Sir, Anamaboe, 4 November 1865.

I AM requested by the Royal Family and the people of our late King Cofee Affary to return you their sincere thanks for the respects paid to his funeral; they express a wish that the friendship between you and the late king (as a governor of Her Majesty the Queen of England) will ever exist with the bereaved family and the people of the deceased king.

I have, &c.
(signed) *J. M. Insadoo*,
For *James Quansah*, Senior Magistrate.

— No. 13. —

(No. 147.)

No. 13. Lieut. Governor Conran to the Right Hon. Edward Cardwell, M.P. 11 Dec. 1865.

COPY of a DESPATCH from the Lieutenant Governor *Conran* to the Right Honourable *Edward Cardwell*, M.P.

Government House, Cape Coast,
11 December 1865.
(Received, 10 January 1866.)
(Answered, No. 300, 17 January 1866, page 91.)

Sir,

I HAVE the honour to acknowledge receipt of your Despatch, No. 271,* of the 19th October, relative to the repayment by the King of Cape Coast of a sum of 19 *l.* 16 *s.*, which was paid out of the Colonial Treasury to the plaintiff in the case of Wood *v.* Martin, which the King guaranteed to refund.

* Page 90.

2. In reply, I am happy to report that, as I have always stated, the King has paid the money on my application through a single constable, and this even at a time when his conduct towards me in other respects is not at all satisfactory.

I have, &c.
(signed) *Edward Conran*,
Colonel Commanding the Troops,
Lieutenant Governor.

— No. 14. —

(No. 20.)

No. 14. Lieut. Governor Conran to the Right Hon. Edward Cardwell, M.P. 27 January 1866.

COPY of a DESPATCH from Lieutenant Governor *Conran* to the Right Honourable *Edward Cardwell*, M.P.

Government House, Cape Coast,
27 January 1866.
(Received, 13 March 1866.)
(Answered, No. 8, 23 March 1866, page 92.)

Sir,

THINKING it will be advisable for some time to come, owing to recent inquiries relating to affairs on this coast, to report incidents of a serious nature affecting the people under our protection, I feel myself compelled to do so now in consequence of a disturbance created on the 17th instant, causing the inhabitants of the town and neighbourhood much fear and uneasiness, when two

two of King Aggery's Companies (numbering about 2,000 men of the force mentioned in Mr. Martin's evidence, Blue Book, page 326, Questions 8397 and 8398) having taken the field, with arms, ammunition, bayonets, swords, and other deadly weapons, against each other, in regular organised order, under captains, with flags flying, for some slight offence offered by one company to another, arising out of a funeral a day or two previously.

2. So quietly had this arrangement been kept from my knowledge, that until their drums were heard, as I was writing my Despatches in this house at noon, I had not the remotest idea of being witness to such a disgraceful parade as that of 2,000 men being assembled on the plain, at the head of the Salt Pond, under the intense heat of the sun, to shoot each other as townsmen, as was their custom to do some years ago.

3. I was dressed in plain clothes; I ran for Gothic House Road, where I heard the noise, and there placed the hospital guard, which turned one of these companies from that direct route to the field of action, about two miles off, where the other company were waiting, causing them much loss of time in getting round by a new path through the bush, which enabled me to get 300 soldiers at the double on the ground before them, dispersing the assembled body in the bush.

But seeing both companies could assemble near the other end of the lagoon by going round it on both sides, I formed the troops into three divisions, two of which doubled round on both sides, leaving the third at its head to prevent them from collecting there.

The result of this step was, that as one of these so-called companies was crossing the lagoon up to their arm-pits in the water to escape being hemmed in by the troops, my men were enabled to capture about a dozen of their captains and ringleaders with loaded arms, every one of whom were carefully placed in gaol for trial by the civil power.

4. The troops remained out until after sunset, by which time these companies marched into town, one of them, called "Anafu," having been deprived of their leaders, who were in gaol, and could not fight accordingly in their absence.

Myself and officers endeavoured to catch the companies' flags, but could not succeed; I have, however, ordered that neither are to appear in public again, whilst those belonging to the other five may; and as many are to be tried, I am in hopes that the prompt measures taken will prove a lesson to them and prevent a recurrence of such an attempt at wholesale murder.

5. Kings Aggery and Attah, of Cape Coast, magistrates and others who joined me, deserved great praise for the exertions they used in the suppression of this disturbance, as, had they fought and killed each other, the defeated party, it is said (as is their custom) would burn the houses and property of the victorious on the following night.

6. King Aggery, his councillors and people, called next day, and thanked me for having prevented the fight from taking place, as he had lost all control over his so-called troops, proving the correctness of the Right honourable Chichester Fortescue in putting Question 8398 to Martin, before the West African Committee; for which reason I have steadfastly refused to give any portion of the Government arms to the people of Cape Coast, although repeatedly asked for by Aggery's friends.

I have, &c.
(signed) *Edward Conran*,
Colonel Commanding Troops,
Lieutenant Governor.

— No. 15.—

No. 15.
Lieut. Governor Conran to the Right Hon. Edward Cardwell, M.P.
5 February 1866.

(No. 25.)

EXTRACT from a DESPATCH from Lieutenant Governor *Conran* to the Right Honourable *Edward Cardwell*, M. P., dated Government House, Cape Coast, 5 February 1866. No. 25.

(Received, 13 March 1866.)
(Answered, No. 4, 21 March 1866, page 92.)

I OFTEN heard that it was the intention of Her Majesty's Government to come to an understanding with the Dutch as regards a fair division of this coast, allowing them to take the control and protection of all lying westward, from the Sweet River situated between Cape Coast and Elmina, our Government taking the coast from the Sweet River, eastward, to the Volta, with all territory in the rear, from the sea as far as the Ashantee and other foreign boundaries would admit of. I see no other means but this, of enabling us to steer clear of trouble and broils constantly arising amongst all parties. The Appolonia and Wassaw districts are rich in gold, on the west, whilst Accra and the eastern districts are also rich in trade in other respects.

As both Governments govern their respective portions much alike, and as the natives everywhere reside over the graves of their ancestors, for which the most unbounded veneration is observed, there need be no apprehension as to their removal from one place to the other.

The fact of Elmina and the other Dutch Settlements being surrounded, at seven or eight miles distance, by the tribes under our protection, affording an instance like Agownah, should be enough to move our making further efforts for the settlement of affairs on the Gold Coast; whilst a division, such as that proposed, would be the means of placing an equal responsibility with England on the Dutch as regards the protection of the natives, and relieve our Government from embarrassment which I can foresee approaching, if I am not mistaken; as, since the West African Inquiry held in the House of Commons last year, the greatest change appears evident in many of our districts on the sea shore, through the efforts made by King Aggery and his councillors to spread reports amongst the natives, on Mr. Martin's return from England in September last, endeavouring to influence the minds of the so-called scholars (those natives who can read and write) and petty native lawyers who cling like leeches to the skirts of their more ignorant Kings and Chiefs for the sake of gain, for the mere writing of the commonest of letters to the Government, and especially the Chief Justice's Department, giving the greatest trouble, and causing, what is much worse, the greatest discontent.

King Aggery and his councillors are led to believe, by a native advocate possessing much talent, but totally devoid of principle, that the time has arrived when they themselves should govern the coast, but that the English should also remain as their advisers and directors in all things; to which scheme the merchants of all colours and others of fixed ideas and principles strongly object, fearing that without the protection of England, themselves and their connections would be, by such means, plunged back to the former condition of their ancestors.

— No. 16.—

No. 16.
Lieut. Governor Conran to the Right Hon. Edward Cardwell, M.P.
14 March 1866.

(No. 45.)

COPY of a DESPATCH from Lieutenant Governor *Conran* to the Right Honourable *Edward Cardwell*, M.P.

Government House, Cape Coast, West Coast Africa,
14 March 1866.

Sir,

(Received 12 May 1866.)

* Page 92.

IN reply to your Despatch, No. 315,* of the 16th October last, conveying your approval of my having commuted the sentence of death passed on Private King, of the 4th West India Regiment, for the murder of a native, during the riot of the 4th September last, in the town of Cape Coast, and calling upon me to explain the steps taken to guard against the recurrence of a similar riot,

I have

I have the honour to state, on that occasion every precaution that could be deemed necessary was resorted to, having had what troops that were quartered in hired buildings in town withdrawn at once inside the Castle, and the whole confined to barracks for an unlimited period, or until the hostile feeling which prevailed to a great extent at the time should subside, besides prohibiting, in General Orders (under penalty of being tried on the spot, by court martial, for disobedience of orders), soldiers from frequenting in future that part called "Low Town," where the riot originated, as well as punishing severely any soldier caught interfering in the slightest degree with the natives.

2. These and other minor steps continued to this day, proved effectual so far that no attempt was ever made by either side to renew the quarrel, and now that the corps has removed to Sierra Leone, and been relieved by the 3rd West India Regiment, I do not anticipate a recurrence of the kind in future.

3. I may add, that the late unfortunate disturbance, in a measure, must be attributed to the large body of troops quartered in town, owing to the crowded state of the garrison, which can never be the case again, now that the numbers are so reduced.

I have, &c.
(signed) *Edward Conran*,
Colonel Commanding Troops,
Lieutenant Governor.

— No. 17 —

(No. 54.)

No. 17.
Lieut. Governor Conran to the Right Hon. Edward Cardwell M.P.
7 April 1866.

COPY of a DESPATCH from Lieutenant Governor *Conran* to the Right Honourable *Edward Cardwell*, M.P.

Government House, Cape Coast,
7 April 1866.
(Received, 12 May 1866.)
(Answered, No. 22, 22 May 1866, page 92.)

Sir,

I HAVE the honour to acquaint you that a circumstance of considerable consequence occurred here on the 22nd ultimo, with reference to the conduct of the most important Chief in the Protectorate (King Ortabil, of Gomwah), owing entirely to King Aggery's seditious behaviour, as reported by me in Despatch, No. 136,* of 6th November 1865, previously to which he despatched secret messengers to all the Kings and Chiefs under the Government, to the effect that they were capable of managing their own affairs, information picked up from the Blue Book, containing evidence and the Report of the late House of Commons Committee, which has, I regret to say, led many disaffected men and a few Chartists here, to look forward, for months back, to a very different course of policy to that now established by Her Majesty's Government, and upon whose doings I keep my eye.

* Page 48.

2. On the 22nd March King Ortabil arrived in this town, accompanied by about 500 armed men, as is the custom here, for the purpose of settling a palaver between himself and one King Hammah, a man of less power, whom he forced to quit his country through fear of being overpowered by his large army.

Hammah came to me for protection whilst his country had been overrun by 5,000 of Ortabil's people, who killed three persons, besides committing other serious depredations to property.

Hammah obtained a warrant from the Acting Chief Justice, which was served on the three accused murderers on the 22nd ultimo, who stood by the side of Ortabil as he arrived in town, when, instead of giving them up, the constables were only driven away by fear and threats of his armed force.

3. The constables reported the case to me, when I sent them (12 in number) back with orders that they must be given up for examination before a magistrate.

The King refused to comply, and swore by the great Sir Charles M'Carthy's oath, by his wounds, and by my own red coat, that he never would give them up to any Governor or white man, and that had he not come to Cape Coast of his own free will; I had not men enough to bring him. While all this was going on, he was seated in Council with Aggery, amongst hundreds of people, under a tree in the centre of the town.

Seeing the marked determination and insubordination of these two Chiefs, I allowed an hour to pass before I acted, when I put on my uniform and sword, and went to where they were seated, with 12 constables and about 100 soldiers of the 3rd West India Regiment, which remained about 200 yards in my rear, and when I arrived in the centre of the meeting I drew my sword, and in the name of Her Majesty Queen Victoria, demanded King Ortabil as a prisoner.

He at once stood up, and surrendered himself most peaceably, when I marched him into the Castle, at which moment all his people, as well as Aggery's, ran away in all directions.

4. He remained confined in an officer's quarter inside the Castle, being allowed free visits by his friends, from Monday 22nd to Saturday 26th March, when I held a large meeting (townspeople and his own), and before all he most humbly craved my pardon, acknowledged his fault, and promised never again to disobey the Governor or Queen.

I refused to let him out until he paid a fine of 25 ounces of gold (90 *l.*) down, for the insult, besides 25 more as a guarantee that he will not offend for two years to come; with which conditions he complied, and having paid the fine into my chest I released him.

5. Since then he paid me several visits, thanked me, and calls me his uncle for showing him such kindness, from which act he evidently thought I was going to punish him more severely; and as, while a prisoner, he received wines and messing from the officers in the Castle, so thankful is he that every day he is to be seen amongst them.

6. Every well-disposed person in the place upholds me in having acted with such decision, otherwise the consequence to the Government might be seriously affected, especially as seditious Aggery had been concerned in the business.

I cautioned Aggery in the presence of the crowd, and told him that if he did not take care I would send him off to Sierra Leone, unless he reformed.

Ortabil's incarceration will, it is considered, prove a valuable lesson to others, as what may they expect (should they commit themselves) if their greatest Fantee King has been so degraded.

7. I enclose copy of the memorandums of Mr. Blankson, police serjeant major, respecting the treatment he received; and as to Aggery's general conduct I may have to speak presently, as, from recent acts, the sooner he is put down the better.

Trusting you will approve the steps taken for the dignity of my Government and the peace of the Protectorate,

I have, &c.
(signed) *Edw. Conran,*
Administrator of the Government.

Enclosure in No. 17.

Encl. in No. 17.

Police Station, Gothic House, Cape Coast,
24 March 1866.

THIS is to certify that two policemen, James Newman and Cudjoe Mensah, went to Anamaboe on the 22nd instant, with warrant to apprehend Quow Noomah, Ayam, and Odoom. King Ortabil interfered, and did not deliver them up to the policemen; the King came up to Amanful, a village near Cape Coast, on the above date; I went there with eight policemen, to apprehend the said prisoners; I first saw his captain, Sekerow, who asked me my reasons of wanting the King; I told him that I wanted him (the King) to deliver three prisoners; the captain said that when the men where in their country why the white men did not send for them, if they were able; then he told me that he was going to see the king, at the other end of the town, but I and the men must wait at the other side; I told him I must follow him, and when he turned round and saw me following at him he gave me strong pushes on the breast, which, if the policemen were not standing behind me,

and

and took hold of me, I would have fallen down; after this the King came out by a corner of a house, greatly vexed; his body was shaking; when he asked me my reasons of going there, through an interpreter; I told him the cause of it; but before I furnished he got up, came and stood before me, and asked the following question three times, "Are you the headman?" I said "Yes;" he then commenced of swearing the following oaths: "I swear by Sir M'Carthy's oath, Wednesday, by three coffins, by Her Majesty's red jacket, by 99 wounds received, that I would not deliver the three men to you or any one, and if I or the policemen dare touch any of the three men he will cause a bloodshed." During this time his people were all in arms. James Newman, policeman, pointed out the prisoners, who were on one side, to me, and as I wanted to hear from them I went near and told them that they were prisoners, and that I wanted them to come with me; they said that they would not come; one of the prisoners rushed forward and gave me a tap on the nose, and said, "Here is Quow Noomah, catch him if you are able, and you shall see something;" at this time the people were pulling and pushing the policemen so confusedly, which I begged the policemen not to use their hands, and obeyed my order. I took the policemen to one end of the town, and sent two of them to inform the police magistrate; they did so, and on their return I received orders to march the policemen into the police station, and I did so.

The King also came to town the same day. His Excellency the Governor ordered me to go and apprehend the three prisoners; King of Cape Coast, Mr. Bentill, the King's own captain, Mr. James E. Davidson, a merchant, and others, interfered by telling King Ortable to give up those prisoners to me; he did not. After waiting there for about three hours, his Excellency the Governor sent for me and asked me if I had got the prisoners; I told him that the King still declined to give them up; the Governor himself came there with soldiers, and took King Ortabill as a prisoner.

While I and the policemen were at Amanful, the King and his captain, Sakerow, said that they fought with the Ashantees in the late war at Asicoomah, and he received no assistance from any white man; therefore he would not deliver the prisoners unless he comes to town on Monday.

(signed) *Thomas Blankson*, P. S. Major.

—No. 18.—

(No. 1.)

No. 18.
Governor Blackall to Right Hon. Edward Cardwell, M.P.
19 April 1866.

COPY of a DESPATCH from Governor *Blackall* to Right Honourable *Edward Cardwell*, M.P.

Government House, Sierra Leone,
19 April 1866.

(Received 12 May 1866.)
(Answered, No. 24, 23 May 1866, page 93.)

Sir,

1. I HAVE the honour to forward to you a copy of a Despatch which I have received from Colonel Conran, Administrator of the Gold Coast, with enclosure as per margin.

Letter from King Aggery to Governor Blackall, Enclosure, No. 2.

2. I lose no time in laying these papers before you, as I consider they raise the most important question regarding the protected territories, viz., the relative civil authority of the several Chiefs and the Administrator.

3. It appears to me, that if Her Majesty's Government establish courts to determine civil cases and to punish Chiefs and Judges who exceed the power of British laws in their own courts, and that a civil force is to be kept up sufficiently strong to carry out the decrees of our courts throughout the protectorate, we shall be in perpetual collision with the Chiefs, and incur incalculable expense.

4. Colonel Conran has not forwarded to me a copy of the Ordinance to which he refers in the Minutes of Council of 26th April 1853, and I am therefore unable to judge how far King Aggery's proposal may be treasonable.

5. But it is quite clear that if we continue to occupy Cape Coast Castle as a military post, even independent of an Administrator, that some security must be taken against the establishment of such an armed force as King Aggery proposes; a force which would evidently, from late circumstances, be under no control, and be composed probably of the worst characters.

6. You will doubtless have the means of ascertaining the exact powers now possessed by the Administrator in these matters, and if they are insufficient, and

we should not be able to obtain the concessions required from these protected Chiefs, it would be a matter for serious consideration whether the occupation of Cape Coast is worth the expense which it entails, or realises the results which it was hoped would be attained.

7. I have replied to Colonel Conran, advising him to temporise in regard to these matters as much as possible until I receive definite instructions from yourself. And in the meantime I have not sent any reply to King Aggery's letter.

I have, &c.
(signed) *Sam. W. Blackall,*
Governor in Chief.

Enclosure 1, in No. 18.

(No. 3.)

Encl. 1, in No. 18.
12 April 1866.

Government House, Cape Coast,
12 April 1866.

Sir,

I MUCH regret having to trouble you, so very soon after assuming the Government in Chief of the Western Coast of Africa; but when I tell your Excellency that my report refers to the conduct of King Aggery of this place, I am sure of your support in putting down this insolent, ignorant, and stubborn man, who possesses but very little power at present, in consequence of most of his abettors and people having abandoned his fruitless cause through fear of the Government.

2. Your Excellency cannot forget having received at Sierra Leone letters of complaint and grievances against the administration of Governor Pine and myself, dated 12th January last, from this very man, which you were pleased to return to me in a letter of 17th February, dated on board the mail steamer "Mandingo," because it had not in the first instance passed through my hands, upon which subject your Excellency cautioned him in my quarters at Connor's Hill, in the presence of five or six of his councillors on the 20th of latter month, when he confessed having no complaint to submit against anyone connected with my government, and upon which assurance the matter ended, until the evening of the 13th March, at six o'clock, just as the steamer was starting for Sierra Leone, when a letter of same date, addressed as per enclosed envelope, was placed in my hands for your Excellency without a word or line of explanation on the subject, copy of which I also enclose for your consideration.

No. 1.

No. 2.

3. The portions of this document to which I beg to invite your Excellency's special attention will be found in paragraphs 4, 5, and 6 thereof.

In the former he states what is not true, the market being open and free of charge to all who wish to take advantage of its now acknowledged comfort and benefit, whilst I think there cannot be but one opinion as to the language contained in the other two paragraphs, being most seditious, showing a desire, if in his power, to overthrow the Government (which fortunately he does not possess), substituting his own in its stead.

The national debt alluded to is the amount borrowed, at the rate of 50 per cent. interest, from parties here to defray the expense to England in June last of his commissioner, one Mr. Martin, which debt has risen now, I am informed, to 1,000 *l.*, not one penny of which can he pay, owing to my circular notice of the 15th November having intercepted his circular of the 18th of previous month to the Kings and Chiefs of the Protectorate, who refused to contribute to the expense of a commissioner about whose proceedings and mission to England, until then, they never heard a word. For the recovery of this amount, I am informed, he has been summoned.

No. 3.

No. 4.

4. I enclose copies of King Aggery's circular of the 18th October, and of mine of 15th November, of which the Right Honourable the Secretary of State approved in Despatch 291 of the 22nd December 1865, in reply to my report on the steps I adopted to check this man's ambitious hopes, then unbounded, under the belief that the day had arrived for his assumption of the management of the Gold Coast; forgetting that out of the hundreds of Chiefs under our protection that he was the most insignificant, and the very last man that they would obey or listen to.

No. 5.

5. I called a meeting of Council on the 15th March, after I received the letter addressed to your Excellency, copy of the Minutes enclosed, from which it will be seen that all (but one) agreed with me in opinion that King Aggery's language was seditious; but seeing the likelihood of his committing himself deeper in such matters, I kept perfectly quiet, in which I was correct, it being only yesterday that he was convicted in the Supreme Court of cruelty towards some of his unfortunate people, who found the means of appealing to British justice from the dungeons underneath his house, in which they were chained to logs as prisoners by his authority, within a few hundred yards of this house, the seat of government, which should satisfy the good people of England who take an interest in his Majesty's Christian acts, that they have been sadly mistaken in considering him a Christian.

6. Possibly

6. Possibly your Excellency may think that in the face of all I have stated here I should have proclaimed Aggery as no longer a King in consequence, without reference to you for authority to do so, as the proper means of putting a stop to his seditious game in play now for a year, a step I had fully intended to have put in force; but seeing him so utterly powerless to do harm, I have thought it more prudent to bring his whole conduct under your Excellency's notice, whilst, if he should give further occasion, I will act as I have stated here.

The commissioners doing chief justices' duties would have sentenced King Aggery to six months' imprisonment as punishment for his cruelty had I not interfered, not wishing to see him so degraded.

7. King Aggery's circular of 18th October, and the Blue Book (notwithstanding my efforts to check their effect on the minds of the people incapable of understanding the meaning of their contents) having reached the hands of many Kings and Chiefs, have, I must confess, caused much discontent unknown before, in leading them to believe that some extraordinary privileges were about to be conferred on them through Martin's visit to England as commissioner, instead of reflecting upon their deplorable condition, had generous Great Britain withdrawn its protection from the Gold Coast, with the Ashantees ready in such a case to pounce upon them as their long-sought prey, making slaves of every one which they would not sell or behead, from which even King Aggery would not form an exception.

I have, &c.

His Excellency Major Blackall,
Governor-in-Chief, &c. &c. &c.,
Sierra Leone.

(signed) *Edward Conran*,
Colonel and Administrator of the Government.

Enclosure 2, in No. 18.

May it please your Excellency, Cape Coast, 13 March 1866. Encl. 2, in No. 18. 13 March 1866.

Before you leave Cape Coast, I beg leave humbly to draw your attention to certain matters and things that I consider to be of paramount importance.

2. Hitherto the King of Cape Coast has not known how far he has to act, and his coming into collision with Her Majesty's representative here has been the unavoidable result. In a few words, therefore, allow me respectfully to ask you kindly to define the understanding between the King's court and the British magistrate's court; between the King and the Governor, and between the King and his brother Kings on the coast.

3. In February 1865, a native, who had been in the King's Court convicted of attempting to poison his neighbour, and sentenced to undergo a few months' imprisonment in the King's Gaol, was decoyed by Governor Pine to take out a summons against the King's sitting magistrate, for some crime or other (for the Governor was heard actually to ask the convicted fellow to summon Mr. Martin, before whom the convict-prisoner had been tried; and on the prisoner replying that he had no means to go to law, his Excellency rejoined, "Never mind; a summons will be taken out in the Queen's name.") A summons was accordingly issued in the name of Her Majesty, and served upon Mr. Martin. Mr. Martin appeared before the British court of justice at the instance of Her said Majesty. The case was gone into. Mr. Martin was called on to produce his commission, which he did; and the consequence was, that although it was clear that the penalty awarded on the criminal (who had attempted to poison) was by far too inadequate, yet the prisoner was set at large, and a fine of five pounds (5 *l.*) was imposed upon Mr. Martin on the bargain, when the fine was paid under protest.

Again, in March following, a Master George Blankson Wood, also a native of Cape Coast, was cited to appear before the King's Court, and answer certain charges preferred against him by his neighbour, also a native. Master Wood made his appearance in the court in question, where Mr. Martin was sitting as magistrate. Master Wood committed contempt of court, and Mr. Martin ordered him to be imprisoned; Master Wood resisted, and withstood the constables or other peace officers while he was being removed to the King's Gaol; and the struggles arising from the resistance offered was construed into an unlawful assault and battery, for which Mr. Martin was again summoned, and decreed by default to pay the sum of nineteen pounds six shillings (19 *l.* 6 *s.*), which amount also has been paid under protest. Neither of these cases can well be brought under the name of appeals, or Mr. Martin would not have been charged with an unheard-of crime when he passed judgment upon the felon, nor would he have been accused of committing an assault when he merely dealt with a contempt of court; and Her Majesty's troops are not unfrequently marched outside the Castle to enforce payment of fines.

4. It cannot be understood how it is that laws are passed here by the Governor without the King's knowing anything about them beforehand, and without the consent of the people for whom such laws are made. Among other things, one day a law was passed for levying license duty on spiritnous liquors; public voice was raised against the measure; the Governor of that day said he was going to refer the matter to the Colonial Office, but we have heard nothing of the matter ever since.

And now again it has come to my knowledge, that the market here is about to be closed (or so done already) against all persons who would not pay duty on what merchandise, fruits, vegetables, and other things they sell there.

5. An occasion once presented itself, that a deputation should be despatched to England with the knowledge and consent of my brother Kings, when voluntary contributions were promised, but the steps I have taken to remind them of their promise to me, have been taken by Her Majesty's representative to mean, that I am seeking to establish a sovereignty over the other Kings, and they are even assured that it is not the wish of Her Majesty that they should help me in a pecuniary point of view, and yet of all of other Kings I am only the man who has no control over the revenue of my country.

The Customs go into Her Majesty's Government chest, and all other revenues except that which is derivable from my court, pass out of my hands, and I do not know how the demands of our national debt (debt contracted on account of every King and people on the coast) can it all be met by Cape Coast alone.

6. I understand that the police is organised so as to be in the place of Her Majesty's reduced troops, and I therefore take leave to suggest, that I am about to form a corps of natives to be trained (by Her Majesty's troops stationed here) for the benefit of the country, that is to say, for purposes of self-defence. The corps, such as I propose, may be maintained by the revenue of the country, without which revenue I despair of ever effecting any material improvement here; a few police, however, may be organised for the preservation of the peace.

7. I had hoped, in a communication to Mr. Secretary Cardwell, that your Excellency would land here to settle the bayonet affair, as it is called, or rather the question of the 4th West India Regiment killing certain natives; but just one mail before you arrived, I received an answer to the effect, that "I was misinformed as to the facts of the case." I do not know how that is. On this and the foregoing matters and things I respectfully crave your opinion and advice, so that, the thing being defined, I may not commit myself in any way.

I have, &c.
(signed) *John Aggery*,
King of Cape Coast.

His Excellency Governor General Blackall,
Cape Coast.

— No. 19. —

(No. 38.)

No. 19. From Governor Blackall to the Right Hon. the Earl of Carnarvon. 17 Sept. 1866.

COPY of a DESPATCH from Governor *Blackall* to the Right Honourable the Earl of *Carnarvon*.

Government House, Sierra Leone,
17 September 1866.
(Received, 10 October 1866.)
(Answered, No. 52, 17 October 1866, page 93.)

My Lord,

I HAVE the honour to enclose to your Lordship copy of a Despatch and notices which I have received from the Administrator of the Gold Coast, the former containing the gratifying information that the annual "Customs" had passed off at the Gold Coast without the usual loss of life and disturbances; and I have to submit, for your Lordship's approval, the very judicious and firm attitude assumed by Colonel Conran to preserve order and advance civilisation.

I have, &c.
(signed) *Sam. W. Blackall*,
Governor in Chief.

Enclosure 1, in No. 19.

(No. 67.)

Encl. 1, in No. 19.

Government House, Cape Coast,
27 August 1866.

Sir,

As the annual Customs held on this coast by the natives at this season of the year (commonly called Black Christmas), for time immemorial, have been attended with much loss of life during their three weeks' existence, from the firing of blank cartridge while madly intoxicated with rum, I have great satisfaction in being able to report to your Excellency that the Custom which ended on the 25th passed off without a single accident or breach of the peace, much less the loss of life; compared with the Customs held in 1864 and 1865, when many lives were taken in the neighbourhood, while excited in firing ball instead of blank.

2. I called the Chiefs of Cape Coast together before the Customs began, and requested that they would not allow their people to appear, as formerly, with arms, and that their amusement would be all the better without them, in marching about Cape Coast and Anamaboe; a request they fully complied with, as not a shot could be heard fired anywhere.

where. But, fearing my advice might not have the proper effect in stopping such savage customs, I caused notices to be posted up about town (copy enclosed), and trust there is an end to them for ever. Christian King Aggery, however, objects to any interference on my part in these cases, and intends to make it a grievance.

I have, &c.
(signed) *Edward Conran*, Colonel,
and Administrator of the Government.

To his Excellency Colonel Blackall,
Governor in Chief.

Enclosure 2, in No. 19.

NOTICE. Encl. 2, in No. 19.

His Excellency the Administrator of Her Majesty's Government, having been informed by the chiefs of Cape Coast that the time has arrived for holding their annual custom, it is hereby notified, therefore, for general information, that during these customs no fire-arms are to be discharged in town, that no breach of the peace is to be committed, or injury done to any of Her Majesty's subjects.

If firing is to form part of these customs, the people may fire blank, either on the Military Parade Ground, Salt Pond Road, or in the neighbourhood thereof.

By command of his Excellency the Administrator,

(signed) *J. Angus L. Hamilton*, Lieutenant,
Private Secretary.

Government House, Cape Coast,
7 August 1866.

— No. 20. —

(No. 43.)

No. 20.
Governor Blackall to the Right Hon. the Earl of Carnarvon.
17 Oct. 1866.

COPY of a DESPATCH from Governor *Blackall* to the Right Honourable the Earl of *Carnarvon*.

Government House, Sierra Leone,
17 October 1866.
(Received, 12 November 1866.)
(Answered, No. 57, 16 November 1866, page 93.)

My Lord,

1. I HAVE the honour to enclose to your Lordship copies of a petition and other documents which were forwarded to me, *not* through the Administrator of the Government of the Gold Coast, with copy of a Despatch which I received on the subject from Colonel Conran, and my reply thereto.

2. I should not have taken upon myself to reply to this petition without reference to your Lordship; but, having had the advantage of conferring with Mr. Hackett, late Chief Justice of the Gold Coast, on his way to Europe, I was convinced that this petition did not, in fact, emanate from King Aggery, or the people of the Gold Coast, but was got up by Mr. * * * and persons of that class, who at Cape Coast, as well as at Lagos, are striving to direct the Native Chiefs in opposition to Her Majesty's Representative.

3. Chief Justice Hackett further assured me that the allegation of Colonel Conran's having taken forcible possession of land belonging to Canoemen, the only part of the petition which appeared to me to demand attention, was entirely false, and that Colonel Conran's action in this matter was quite necessary in a sanitary point of view.

4. It is evidently the desire of those who are urging King Aggery in his present course to make him not only independent of the Administrator of the Gold Coast, but the chief of the whole protectorate. I took the liberty of drawing attention to this in a Despatch, No. 1,* of 19th April, enclosing one from Colonel Conran, and suggesting whether our retention of Cape Coast was worth the present expenditure of money and life. A most decided reply was given to that Despatch (Mr. Cardwell, No. 24,† 23rd May), which I caused Colonel Conran to communicate to King Aggery; but it does not appear to have removed from his mind, or his advisers', a hope of being paramount to the Queen's Representative.

* Page 53.

† Page 93.

5. The petitioners themselves, in their last paragraph, do ample justice to Colonel Conran, as to the improvements in civilisation which have been effected under his rule—improvements which would not only soon disappear, but be replaced by a return to the most barbarous and savage customs, were such men as have got up this petition entrusted with self-government.

I have, &c.
(signed) *Sam. W. Blackall,*
Governor in Chief.

Enclosure 1, in No. 20.

Encl. 1, in No. 20.

Colonel *Conran* to Governor *Blackall.*

(No. 74.)

Sir, Government House, Cape Coast, 6 September 1866.

I HAVE the honour to inform you that I have been favoured by King Aggery with copy of a Petition of the 5th instant, which he intends to forward to your Excellency, containing nothing but objection and abuse against my acts and administration of government, upon which I deem it beneath my notice to remark, as the document, which is signed by himself and a few canoe men only can speak for itself. I may mention, however, for your Excellency's information, that Mr. * * * has always been regarded here as a sort of (what I had better call) a Fenian, who has nothing to lose while everything to gain by any change his talents may be the means of effecting on the Gold Coast; and was, until dismissed by the Rev. Mr. * * * from being one of his churchwardens a few weeks ago (as too immoral in his habits for the office), opposed to Aggery, by whom he is now paid as his Majesty's representative.

2. This petition or volume of complaints has been held over my head for three or four weeks back, during which no exertion has been spared on the new representative's part to obtain the signatures of the Chiefs, who have, as Judge Hackett knows, been threatened by Aggery, and called rebels, for refusing to attend council and sign; and still, out of the hundreds of Kings and Chiefs in the Protectorate, not one seems to countenance his foolish behaviour, or willing to sign his petition.

I have, &c.
(signed) *Edward Conran,*
Colonel and Administrator of the Government.

His Excellency Colonel Blackall,
Governor in Chief, &c. &c. &c., Sierra Leone.

N.B.—I should have also mentioned to your Excellency, that a few days ago the chief justice pronounced judgment in 400 *l.* against three of King Aggery's councillors, Messrs. Thompson, Martin, and Catiline, who stood securities for the payment of the national debt money borrowed in May 1865, to defray Martin's expenses to England, as Aggery's commissioner representing grievances to the Committee, and as they are unable to pay the debt warrants have been issued for their imprisonment; facts which account for the King's anger, most likely.

Catiline is the person whom your Excellency reprimanded in February last, when here, for disrespect to yourself in my quarters on Connor's Hill, whilst Thompson has resigned office altogether some time ago, and is now leading a peaceable life as clerk to Mr. McIntyre.

(signed) *E. C.*

Enclosure 2, in No. 20.

Encl. 2, in No. 20.

King *John Aggery* and others to Governor *Blackall.*

To his Excellency Major Blackall, Governor General and Commander in Chief of Her Majesty's Colony of Sierra Leone, and Fort and Settlements on the Gold Coast of Africa.

Cape Coast, September 1866.

THE humble Petition of the undersigned King, Chiefs, headmen and other residents on the Gold Coast under the British protection, humbly showeth,

That your petitioners having taken into consideration the present unsatisfactory state of affairs on the Gold Coast, and of Cape Coast in particular, arising from the present mal-administration on this coast, have unanimously resolved to address your Excellency with the view of drawing your Excellency's attention to the same.

That your petitioners sincerely deplore the undignified ill-treatment to which his Excellency Colonel Conran has at various times subjected the King of Cape Coast; on the occurrence of a vacancy from whatever cause, in this place, a King is elected by the suffrages of the majority of the people, and John Aggery on the last occasion of such vacancy was so elected by those who had a right so to do, and this election was confirmed by the then governor by a salute of seven guns and guard of honour.

That

That in the month of March 28th, 1866, Mr. Charles Bannerman, acting under the instruction of his Excellency the Administrator, prosecuted King Aggery in a magistrate's court for alleged cruelty in putting of his own people in irons for disobedient and refractory conduct; the court was held by two military officers of the garrison, the King was arraigned as a criminal, and although the charge of unnecessary cruelty was not proven, he was subjected to a severe and unnecessary reprimand, with a warning that if another case be brought against him he should be punished as a common malefactor. Such conduct can only have one result, the subversion of all rule amongst the mass of the people, by lowering the King's dignity and authority; the office of a King, as chief magistrate, is the regulating the differences that arise among the mass of the people, in which their own laws, customs, and traditions are concerned; in fact, the domestic government of the people in those details, that it would be impossible for any European to cope with, unacquainted with native laws, customs, and traditions of the people. In a country like this where nineteen-twentieths of the people are in a state of nature, wrongs will be committed, differences will arise, which could not be dealt with from an European point of view, and it is only under the penalty of native laws and customs that evil-doers under the mass of the people are kept in check, because the mass understand their own laws and customs; not to say that they do not appreciate the Queen's Court; for as a rule, the people gladly avail themselves of the law courts; but in a community of half a million of uncivilized men, we say that circumstances frequently arise where native custom is of more avail than British laws; we must say the truth, the people cherish their own customs, revere their own laws; they have been hallowed in their minds by traditions, whereas European customs and laws, however much they may be superior and transcendent to native laws and customs, are to the masses of as yet only an extraneous growth, and will only be fully and universally appreciated as the people become civilized and their minds enlightened; but this is a work of time.

We do not complain of the efforts that have been, and still continue to be, made to civilize our country, God forbid; but we do complain of the wholesale sweeping away of those means and appliances which tradition has prescribed for the good government of the masses of the people, before they are in condition to appreciate a better rule; a state of anarchy will be the certain result of such violent transition.

That, on the 19th of April 1866, the King was invited to be present at the Government House by occasion of the new charter being read, and the Administrator sworn into his new office; the King, with a retinue, repaired to Government House at the appointed time; on his entrance on the premises he was met by the Acting Secretary, Captain Cary, of the 4th West Indian Regiment, and Mr. Samuel Wood, the Government Interpreter, and commanded to leave the premises as the Administrator did not desire his presence.

That, on the 23rd of June last, the King of Cape Coast was invited to Government House, the message of his Excellency the Administrator being that he had received letters from head quarters, and that his Excellency was desirous of coming to a proper understanding with the King, and being again on terms of friendly footing with him; the King, accompanied by the King of Gomooah (chief of a large and populous district) and some of the respectable personage of this town, repaired to Government House; the party were met at the foot of the steps by his Excellency the Administrator, and the King saluted with a volley of language unbecoming his position or the dignity of the Queen's Representative.

That, on the 24th of the month of July, several canoes, sixteen or more belonging to the company of fishermen in this town, were seized, and stored in the Gothic House, and the land belonging to the said company of fishermen was appropriated by the Government, and a building is now in course of construction (report says a future bonded warehouse) upon this same land. This land has been the property of the said company of fishermen time out of mind; we do not object to any improvement that his Excellency the Administrator may deem necessary to effect in this our town, but we do most certainly protest against that arbitrary rule that forfeits and seizes men's property without license, leave, or law, without consent of the owners, or offering any compensation for the private injury thus perpetrated.

That your petitioners earnestly pray that the pig's law lately established by his Excellency the Administrator may be revised and modified; that in its present condition this ordinance presses with undue severity on the poorer classes of the community whose only means of livelihood is the rearing of these animals for sale, and these means have been virtually forfeited by the unequal operation and pressure of the above-named ordinance.

That in all countries, civilized or uncivilized, certain customs prevail at certain seasons of the year which have been hallowed by tradition in the minds of the people, but whose origins are veiled in the misty obscurity of ages, such as Lord Mayor's Show in London, the Lenten festivities in Paris and other cities, the Jaughernaut car in India, and our harvest customs here; these customs take place annually about the harvest time, and for the more barbarous practices which formerly prevailed, the blank firing of muskets was many many years ago substituted; this firing of salutes takes place in convenient places in the town. That this year the companies who are ordered to perform these ceremonies on the military parade ground, or near the Salt Pond, his Excellency the Administrator well knowing that on these very spots many a battle has been fought between the different companies when differences have unfortunately arisen; now the very fact of their being ordered to go to these spots for the firing of their guns was almost tantamount to an order for the people to go and massacre themselves; as the excitement of the time, and some perhaps being inflamed with liquor, and large bodies of holiday-making men being armed

with muskets, and massed on the very spots where serious encounters have unfortunately but too frequently prevailed, the consequence would have been, no doubt, that several lives might have been lost.

Under these circumstances the King ordered that no firing of arms should take place, and the people cheerfully obeyed him, because they know and acknowledge him as their King. But for this it would, perhaps, have been our painful duty to record scenes as shocking, as what took place on the night of the 4th of September, 1865, but with this material difference, that the people would have been their own butchers instead of being slaughtered like sheep by the soldiers of the 4th West India Regiment; a record of which was forwarded to Her Majesty's Secretary of State for the Colonies.

That your petitioners perceiving with exceeding concern and regret that for some time since a degree of indifference and want of cordiality seemed to have arisen between our King and his Excellency the Administrator, and which was and is still working detrimentally to the interest of our country, and of this community in particular, after patient deliberation, determined to nominate a representative, a native gentleman of ability, experience, and prudence, and one who at that time was well received at Government House, and whose presence at this time always appeared welcome to his Excellency the Administrator; the object of this nomination truly was, that the real wishes and the intentions of his Excellency the Administrator might, from time to time, become more fully known to the King and his people, and more amply explained than had been possible in the short and formal messages which until then had existed, and which even the most primitive etiquette could not dispense with; our representative, in a communication, informed his Excellency of his appointment, *see* Enclosure, No. 1. After some delay a reply was vouchsafed, and Mr. Samuel Wood, the Government interpreter, was despatched to the three refractory and disloyal Chiefs of this town, (one of whom was by his Excellency the Administrator publicly reprimanded for his disloyal conduct to his superior chief, the King of Cape Coast, in pretending to set himself up as a second king,) and asked them if they also had any hand in the nomination of a representative, to which they replied in negative; about this time your petitioner's representative forwarded a despatch, No. 2, enclosed, to his Excellency the Administrator, informed him of the approach of the annual customs; and, in accordance with ancient usage, the reply, No. 3 enclosed, we submit to your Excellency without any further comment.

That on his Excellency the Administrator refusing to acknowledge our representative and King, on the plea of the negative answer he received from the three refractory and disloyal Chiefs, the headmen of the community addressed a letter to his Excellency the Administrator, as per No. 4; this letter was conveyed by four company captains of the town; his Excellency the Administrator, after having read letter, uncourteously drove away these deputies in a most disgraceful manner.

No. 5, letter came from his Excellency the Administrator, the next; and letter No. 6 was the reply.

That at the sitting of the Committee of the right honourable and worshipful the House of Commons, in Parliament assembled, last year, the King and his councillors, with consent of various Kings and headmen of this protectorate, despatched delegates to represent their interest at the said Committee, they agreeing each to contribute his quota to defray the expenses of the said delegates; that on their return, and forwarding their bill to the King, of expenses, he (the King of Cape Coast) called on all the Chiefs and headmen to redeem their promise and contribute to pay the said bill. His Excellency the Administrator hearing of this, despatched special messengers, and issued proclamation forbidding the various Kings and Chiefs of this protectorate to contribute to the said fund; which arbitrary measures have worked to the prejudice of your petitioners.

That with regard to the alleged peace with the Ashantee, your petitioners consider that his Excellency the Administrator has been ill-advised in the measures he has taken to bring about that desirable result, and have cause to fear that the public mind may yet be disabused as to the seeming tranquillity and peace which now prevail.

And finally, that your petitioners, in laying these facts before your Excellency, beg to assure your Excellency of the deep-rooted love and respect, and veneration, with which they regard and cherish the prestige of the British rule in this country; that they are actuated by no motive of personal ill-will or feeling, personally, towards his Excellency the Administrator, whom they will willingly believe is personally desirous of effecting some good for the country; that they cheerfully record their testimony that Colonel Conran, with his crippled resources, and his accession to, has done more for the sanitary improvement of this town of Cape Coast than any previous governors during the last 20 years; that very appreciable improvements have been made in the markets, and their regulation; that the streets have been much improved, and unwholesome nuisances extinguished; that the fearful desecration of the Sabbath that formerly existed, has been, if not as yet entirely done away with, at least very much reduced and modified; that material progress has been fostered; with all these, and many other material advantages which Cape Coast has enjoyed, we regret to state, and this is the cause of our complaint, that a system of arbitrary rule, a system of general policy, whose only object seems to be the determination and abrogation of the real authority of the Chiefs and Headmen, the elimination of all moral influence and consequent disorganization of the Protectorate, are surely and steadily progressing; and our desire is, to co-operate with the Government cordially and respectfully for the general improvement and progress of the whole community; that our rights and privileges be recognised; and that, before any radical changes

be

be introduced in future, our interest may not be sacrificed to the will of the few whose only interest in the country is the value of the appointments they receive, and mete out their measures of affection for the same accordingly.

And your petitioners, as in duty bound, shall ever pray.

(signed) *John Aggery*, King of Cape Coast,
(and 43 other Signatures of Chiefs, Head Men, &c.)

Enclosure 3, in No. 20.

(No. 1.)

King *John Aggery* to Colonel *Conran*.

Encl. 3, in No. 20.

Sir, Cape Coast, 30 July 1866.

I HAVE the honour to inform your Excellency that I and the people of Cape Coast having a perfect knowledge of the experience and capacity of Mr. Thomas Hughes, who is a native of this town, has been this day nominated and elected by me and the people of Cape Coast as our representative to assist me in my government, as regards order, civilization, improvement, and welfare of the people at large.

The good and Christian people in England, and especially those of the House of Commons' Committee, from the large evidences that came before them, when, upon deliberating on the state of the African Settlements, resolved and recommended self-government of the people.

I and the people of this town do therefore earnestly and sincerely crave your Excellency to give us your aid in civilizing influence in every way towards this most useful endeavour.

I have, &c
(signed) *John Aggery*,
King of Cape Coast.

To his Excellency Colonel Conran,
Administrator of the Gold Coast.

Reply of Mr. *Hamilton*, Private Secretary, to King *John Aggery*.

Sir, Government House, Cape Coast, 31 July 1866.

BY desire of his Excellency Colonel Conran, I have to acknowledge the receipt of your letter of yesterday's date.

I am, &c.
(signed) *J. A. L. Hamilton*,
Private Secretary.

To King Aggery,
Cape Coast.

Enclosure 4, in No. 20.

(No. 2.)

Mr. *Thomas Hughes's* Letter to Colonel *Conran*.

Encl. 4, in No. 20.

Sir, Cape Coast, 7 August 1866.

THE annual customs of the people of this town will in this week take place, and which usually last for a fortnight or so. I respectfully beg to apprize your Excellency of the same.

I have, &c.
(signed) *Thomas Hughes*,
Representative of the King and People.

To his Excellency Colonel Conran,
Administrator of the Gold Coast.

Enclosure 5, in No. 20.

(No. 3.)

Mr. *J. A. L. Hamilton's* Letter to Mr. *Hughes*, 7th August 1866.

Encl. 5, in No. 20

Sir, Government House, Cape Coast, 7 August 1866.

I AM desired by the Administrator of Her Majesty's Government to acknowledge your letter of this day's date, apprizing his Excellency (as the representative of King Aggery and the people of Cape Coast), that the annual customs were about to take place; and in reply, I am desired to inform you, that prior to the receipt of your letter, Colonel Conran was made aware of the fact mentioned therein by the old chiefs of this town, who refuse to acknowledge your new position and style, in consequence of which King Aggery will for the future address himself to me as the Administrator's secretary, otherwise all communications will be returned unopened to the writers.

The practice of native kings appointing representatives cannot be acknowledged under, circumstances, of which fact you are at liberty to acquaint King Aggery, whilst you will also explain to him that his Excellency's commands are, that during these customs, no firing of arms are to take place in this town, neither is any breach of the peace to be committed or injury done towards any of Her Majesty's subjects. If firing of muskets is

to form part of the customs which are about to take place, it must be performed outside the town, either on the Military Parade Ground or near the Salt Pond, to which effect the chiefs and people refusing to acknowledge King Aggery or yourself, have been warned already.

I have, &c.
(signed) *J. A. L. Hamilton,*
Private Secretary.

To — Hughes, Esq., Cape Coast.

Enclosure 6, in No. 20.

(No. 4.)

Encl. 6, in No. 20.

Chief *Cudjoe Ayee* and others to Colonel *Edward Conran.*

Sir, Cape Coast, 8 August 1866.

We, the undersigned, representing the seven companies of Cape Coast, do approach your Excellency with great respect and humility, to announce to you our deep regret and surprise, to learn by your Excellency's letter addressed by your Secretary to Mr. Hughes, for the king's information, that the chiefs and people refusing to acknowledge John Aggery as our king, and Mr. Hughes our representative.

This assertion we beg to say is false; and your Excellency's informants, most certainly labouring under a delusion, and influenced by corrupt motive to convey to you this unfounded and unwarrantable intelligence; and your Excellency, without proper authority, arrived to the conclusion to disacknowledge our lawful king. The chiefs that your Excellency has been to term old chiefs, we beg to say that we do not acknowledge them as our chiefs; if your Excellency can remember that these facts were made known to them at a public assembly which took place in the Government House when Mr. Richard Pine, then Governor of these Settlements; and at this assembly your Excellency was present. We again repeat that we do not know them, much less recognise them as our chiefs; they had nothing to do in the choice of John Aggery as our king, and therefore could not have anything to do with us. We presume to state that your Excellency was perfectly aware of the character of these men who call themselves chiefs, before you left this country for and since your return; that they are seditious, mischief-making, and enemies to the town. We deeply deplore that your Excellency should in any way advocate the cause of these evil-designing men against peaceable people, and who are faithful alliance to the Britannic Majesty the Queen of England; and that these men your Excellency is supporting against our lawful king, and our representative to overthrow them, have for their boasting that your Excellency is their adviser, that Mr. Samuel Wood, your interpreter, the channel of your Excellency's sentiments to them.

We beg humbly to state that if your Excellency would not allow us to perform our annual customs, which is to commence to-morrow, in our own usual way as we have been accustomed to, but to go outside of the town as you command, which none of the preceding governors, who knew our right, never attempted to encroach upon, nor much less to make such laws against them, we would quietly suspend these customs, and represent the whole matter to the proper quarters, and this shall be done through your Excellency.

And again we crave your Excellency to remark, that the loud and mournful cry of the poor fishermen whom your Excellency has deprived of their land which they have owned since fifty years ago, and which store their canoes, requires your Excellency's pity and consideration; and further, that on taking possession of this land, your Excellency did never consulted the king of the place, nor even asked the rightful owners.

We have, &c.
their
(signed) *Cudjoe* × *Ayee.*
marks
Cofee × *Attah.*
(And 23 other Signatures.)

To His Excellency Colonel Edward Conran, Administrator of Her Majesty's Settlements on the Gold Coast.

Enclosure 7, in No. 20.

(No. 5.)

Encl. 7, No. 20.

Mr. *Hamilton* to *John Aggery,* King of Cape Coast.

Sir, Government House, Cape Coast, 8 August 1866.

I am directed by his Excellency, the Administrator of this Government, to enclose, for your information and guidance, copy of a letter of yesterday's date, addressed to Mr. Hughes, who styles himself your representative, thereby endeavouring to place himself on an equality with the representative of Her Majesty the Queen of Great Britain and Ireland and Empress of India, which Colonel Conran looks upon as either dictated through ignoranne or impudence on your part.

I am, &c.
(signed) *J. A. L. Hamilton,*
Private Secretary.

To John Aggery,
King of Cape Coast.

Enclosure 8, in No. 20.

(No. 6.)

King *John Aggery's* Letters. Encl. 8, in No. 20.

Sir, Cape Coast, 9 August 1866.

As his Excellency, the Administrator, forbids my direct communication with him, I beg to address you in acknowledgment of your letter to me of yesterday's date, and to inform his Excellency that myself and people have a right to nominate Mr. Hughes or any other person we please to represent us, and I do not see any unreasonableness in so doing; the day of that election his Excellency was punctually made aware of the same. I beg respectfully to inform his Excellency, that of all men whose position calls for good example, are those in particular whom the Almighty has been pleased to put over others.

His Excellency the Administrator has thought proper by your letter of yesterday to heap all sorts of insults upon me, by applying to me ignorant and impudent, for no wrong that I have done against him or any other person, but because myself and people have nominated a representative. It is a source of satisfaction to me to know that the good Queen of England has not ordered that the people of this country should be made slaves of, and Her agents to endeavour to their utmost to annihilate the seed of civilization springing amongst them. It has never been heard of in any civilized country, however despotic the sovereign may be, that the civil liberty and privileges of the people are withheld in choosing and electing their own representatives. In England the House of Parliament is composed of deputies or representatives elected by the people, and not by the sovereign. I therefore respectfully beg to state that such misguided government which his Excellency had and still adopting against us, shall be represented in higher quarters.

I have, &c.
(signed) *John Aggery*,
King of Cape Coast.

Enclosure 9, in No. 20.

(No. 7.)

Mr. *J. A. L. Hamilton* to King *John Aggery*. Encl. 9, in No. 20.

Sir, Government House, Cape Coast, 9 September 1866.

I am directed by his Excellency, the Administrator, to inform you, in reply to your letter just received, that having based his despatch on the copy of your petition, the original having been sealed and addressed by you to the Governor in Chief, of which fact notice has been taken, you had better forward it yourself now, having failed to comply with the acknowledged routine of Her Majesty's Service on this coast.

The document is returned to you for the second time, in order that you may have it posted.

I am, &c.
To King Aggery, Cape Coast. (signed) *J. A. L. Hamilton*,
Private Secretary.

Enclosure 10, in No. 20.

King *John Aggery* to Governor *Blackall*. Encl. 10, in No. 20.

Sir, Cape Coast, 10 September 1866.

We beg most respectfully to inform your Excellency the obligation under which we have been compelled to post this our petition to Your Excellency, contrary to the regulations as laid down on this coast; his Excellency, the Administrator, having refused to transmit it, returned it back to us on the plea that it was sent to him sealed, although this was not done without copy of the same furnished to His Excellency, the Administrator, we again forwarded the petition open to him; but it met with no better reception, as the enclosed letter, No. 7, will speak for itself.

We have, &c.
To His Excellency Major Blackall, (signed) *John Aggery*,
Governor General and Commander in Chief of King of Cape Coast.
Her Majesty's Colony of Sierra Leone, and
Forts and Settlements on the West Coast of Africa.

Enclosure 11, in No. 20.

Encl. 11, in No. 20.

His Excellency, the Governor in Chief, to Colonel *Conran*, Administrator of the Gold Coast.

(No. 52.)

Sir, Government House, Sierra Leone, 6 October 1866.

1. I HAVE the honour to acknowledge the receipt of your Despatch, No. 74 (Miscellaneous), of 6th September last, informing me that you had been favoured by King Aggery with a copy of a petition which he intended to forward to me, and which, with many other documents, I have received.

2. In strict official routine I should refuse to notice these documents which have not been forwarded to me in accordance with the Queen's regulations; but, as I think it is better that King Aggery and Mr. Hughes should at once understand the position they hold in regard to yourself, I pass this over to address you on the subject.

3. The only ostensibly responsible parties to the documents are King Aggery and Mr. Hughes. I quite agree with you that the so-called petition contains nothing but objection and abuse, and it is evidently written with a total disregard of the reply which, by authority of Her Majesty's Secretary of State for the Colonies, you communicated to King Aggery on the receipt of his former petition.

4. You will therefore be good enough to send again for King Aggery and those whom you consider the chiefs in Cape Coast, and explain to them that I fully approve of your refusal to recognise Mr. Hughes, and that Her Majesty's representative at Cape Coast Castle must be addressed directly by King Aggery when he wishes to hold communication with him.

5. You will again impress upon King Aggery and his chiefs that, however desirous Her Majesty's Government may be to see the inhabitants of the Settlements on the West Coast of Africa qualifying themselves for self-government, they may be assured Her Majesty's Government will never be induced to relinquish their present position, whereby the inhabitants generally are impartially and judiciously governed, to hand them over to the care of those who, by the documents now before me, prove their incapacity at present for so grave a responsibility.

I have, &c.
(signed) *S. W. Blackall*,
Governor in Chief.

To His Excellency,
the Administrator of the Gold Coast,
&c. &c. &c.

— No. 21. —

(No. 54.)

No. 21. Governor Blackall to the Right Hon. the Earl of Carnarvon. 21 Nov. 1866.

COPY of DESPATCH from Governor *Blackall* to the Right Honourable the Earl of *Carnarvon*.

Government House, Sierra Leone,
21 November 1866.
(Received, 11 December 1866.)

My Lord,

1. I HAVE the honour to enclose to your Lordship copy of a Despatch, with enclosure, from the Administrator of the Gold Coast, detailing the conduct of King Aggery, at the Gold Coast, when sent for by the Administrator to receive the reply to the petition which he had addressed to me.

2. I consider it quite necessary to uphold the authority of the Administrator over this king and his evil advisers, and I hope your Lordship will approve of Colonel Conran's proceedings.

I have, &c.
(signed) *Sam. W. Blackall*,
Governor in Chief.

Enclosure 1, in No. 21.

(No. 90.)

Government House, Cape Coast, 12 November 1866. Encl. 1, in No. 21.

Sir,

I HAVE the honour to acquaint your Excellency that I have sent for King Aggerry, Mr. Hughes, and other followers connected with their late petition, and reports as contained in your Despatch, No. 52, of the 6th ultimo, and read the contents of the same to them as impressively as I could, in the presence of the Collector of Customs and other officers, and explained to them also that their last petition only showed an utter disregard for the instructions conveyed to King Aggerry lately from the Secretary of State, and trust that both warnings may induce him to desist from expecting that Her Majesty's Government have any desire to transfer our rule to the hands of such ignorant men.

I have, &c.
(signed) *Edw. Conran*,
Colonel and Administrator of the Government.

His Excellency Colonel Blackall,
Governor-in-Chief,
Sierra Leone.

Enclosure 2, in No. 21.

Cape Coast, 12 November 1866. Encl. 2, in No. 21.

Sir,

I RECEIVED a message this morning from his Excellency Colonel Conran, by the head man of the police, Mr. Whyte, asking me to meet him at the Fencing Yard in the Government House, at 11 o'clock this forenoon; I beg most respectfully to acquaint you, for the information of his Excellency the Administrator, that as the meetings which have always taken place in this yard resulted to be unfriendly, and to meet him at this same place is an indication of the same unfriendly feelings, and having no desire for a repetition of what had already before occurred, I beg that his Excellency the Administrator will be good enough to convey to me in writing the reply to my petition from his Excellency the Governor in Chief.

I have, &c.
(signed) *Aggerry*,
King of Cape Coast.

The Honourable H. T. Ussher, Collector,
Government House, Cape Coast.

Government House, Cape Coast,
12 November 1866.

Sir,

I AM instructed by his Excellency, Colonel Conran, to acknowledge the receipt of your letter of this day, declining to attend at Government House, as requested by the Administrator, in order to hear the reply of the Governor-in Chief read, to your petition against the acts of Colonel Conran.

I am now ordered to inform you, that the instructions of the Governor in Chief are, that the message should be delivered to you personally, as well as to your chiefs and followers, and I am to state that, in case of your persisting in your refusal to attend, his Excellency the Administrator will have to submit this direct opposition to the wishes of the Governor in Chief to that officer, by this present mail, accompanied by such remarks as Colonel Conran may think fit to offer thereon.

I have, &c.
(signed) *H. T. Ussher*,
Colonial Secretary.

King Aggery,
Cape Coast.

— No. 22. —

(No. 61.)

No. 22.
Governor Blackall to the Right Hon. the Earl of Carnarvon.
24 Dec. 1866.

COPY of a DESPATCH from Governor *Blackall* to the Right Honourable the Earl of *Carnarvon*.

Government House, Sierra Leone,
24 December 1866.
(Received, 31 January 1867.)
(Answered, No. 71, 14 February 1867, page 98.)

My Lord,

I HAVE the honour to inclose to your Lordship copies of a despatch and its enclosures, which I have received from the Administrator of the Gold Coast, detailing certain measures which he had adopted to punish the King of Ana- 2.

maboe for cruelties committed on two persons, named Quashie Addoo and Coffee Assine, and to prevent a repetition of such conduct within our Protectorate, and in the immediate vicinity of our own Courts.

2. If our presence on the Gold Coast is to be considered subsidiary to the endeavour to civilize the native tribes, too much praise cannot, in my opinion, be given to Colonel Conran for his prompt and decisive action in these cases.

It is with much regret, and almost with disgust, that I respectfully draw your Lordship's attention to the so-called remonstrance of the chiefs, wherein they utterly deny the advantage of British over Native law, and uphold the system of torture applied at the suggestion of the most degrading superstition, through the medicine man.

3. There are evidently emissaries at work throughout the whole of the protected territory, endeavouring to upset British authority, and to persuade the chiefs that the Parliamentary Committee intended, by their report, to transfer all authority to the chiefs. This mischievous influence can only be counteracted by constant supervision and advice, and by energetic measures, when conduct such as that resorted to by this King and his chiefs, is adopted. I hope, therefore, Colonel Conran's proceedings may be approved.

I have, &c.
(signed) *Sam. W. Blackall,*
Governor in Chief.

Enclosure 1, in No. 22.

Encl. 1, in No. 22.

(No. 102.)

Government House, Cape Coast,
26 November 1866.

Sir,

I HAVE the honour to bring under your Excellency's notice, for the information of his Lordship the Secretary of State for the Colonies, that owing to the disobedient and illegal conduct of the King and Chiefs of Anamaboe for some time past, I found it necessary to take some stepts to bring them to a proper sense of their position towards my Government, as will be seen on perusal of the several enclosures herewith forwarded, trusting that the steps taken will meet with your approval.

2. For some time past the King of Anamaboe and his chiefs have mave manifested the greatest desire to follow King Aggery in his footsteps in their endeavours to cast aside British laws and Courts of Justice to the advantage of their own, notwithstanding my repeated efforts and instructions to the contrary, but more especially to the natives of three principal towns on the coast, Anamaboe, Accra, and Cape Coast, where our own Courts are daily held and presided over by properly constituted magistrates for the administration of justice, hearing of appeals from natives, and setting them good example for their future guidance.

3. In the month of May last, it was reported to me that this very King had been punishing people most unjustly and most cruelly; also I desired Mr. Samuel Collins Brew, J. P., to enquire into the case and report to me. Accordingly Mr. Brew made enquiry, and found that a man named Quasie Adoo, belonging to another King even, had been undergoing cruel punishment in log in prison, where he was placed for 15 days; then released, but to be again thrown back in same dungeon for 20 more days, for an imaginary and trifling debt. I released the unfortunate man, and should have prosecuted the King in the Criminal Court had I a chief justice to preside. He was bound over, however, to appear for trial, for which please see enclosures.

Nos. 1 and 2.

After this matters remained pretty quiet until the 14th of present month, when the King was reported for having again most cruelly imprisoned and flogged a native named Coffee Assainee, on the advice of his fetish man (Priest), for an imaginary and trifling offence of theft, for particulars of which please see enclosure.

No. 3.

I ordered the magistrate of Anamaboe to cause the man's release at once, which was obeyed, whilst my Colonial Secretary, the Honourable H. T. Ussher, proceeded to that station, where, in conjunction with Mr. Brew, J.P., they enquired into the case, and found it even worse than had been represented, as it will appear on reference to enclosure.

No. 4.

4. On the Colonial Secretary's arrival, reporting to me that, instead of the King's paying a fine awarded (of six ounces of gold dust), he absconded altogether, I paused as to what course next to take, being determined to find his Majesty out, and letting his chiefs and councillors see that my authority was not to be thrown one side quite so easily as they seemed to think. In came a letter of the 21st, from Anamaboe, signed by no fewer than 13 chiefs and captains, including James Quansah (Magistrate), Quow Appeah (Head Chief and Ruler), and Chief Ahwill (second Great Chief); and so plausibly written, too, is this letter,

letter, that although admitting our laws to be superior to their own, yet for peculiar local reasons they did not see their King's fault in putting a prisoner in log, and did not therefore find it necessary for him to pay the fine imposed. I consider from these last words that their conduct has been far more dangerous than if they held out and refused to pay the fine altogether, as the latter would amount to simple insubordination, whilst the former amounts to nothing less than an attempt to sit in judgment on the acts of my government as a tribunal of superior power.

No. 5.

5. Taking this view of the case, I started at 10 o'clock that night, with two officers, a medical officer, and 50 men of the 2nd West India Regiment, for Anamaboe, where we arrived at two in the morning, after a little march of 14 miles. I arose at seven o'clock, and ordered a meeting of King, chiefs, and inhabitants, in the Commandant's quarters at 10, when all were present, with the exception of his Majesty, who pretended to be away in the bush, although I knew better, and that he was not far from where I then stood. I proceeded with business by reading aloud the letter, No. 5, asking those subscribing whether they had actually signed that paper, when each distinctly replied in the affirmative, and one most insolently (Chief Appeah); at which moment I called Appeah, Quansah, the magistrate, and Ahwill, to the front. The two latter complied, but the old ringleader did not stir from his stool. I then ordered the three to be handcuffed, an order which was obeyed in a second, having police at the door at my back prepared to act. I desired them to be seated until hammocks were ready for conveying them to Cape Coast Castle as my prisoners, and left the hall; but was not absent long before a deputation appeared, asking me on what conditions I would set them free. I replied, "If you produce your runaway King and 50*l.* as a fine, besides the 21*l.* imposed by my magistrates, within half an hour from this, I will set them free; but the King and all must be present, that they may see the fines paid, and hear what I have to say after," conditions that were fully complied with within the time given.

6. The King came with tom-toms and all sorts of music and followers, as is customary on the coast, but approached me very much alarmed, upon which I desired him to be seated, when the fines were handed in, and the prisoners were relieved from handcuffs. I then addressed them briefly (having business of much importance to perform at Cape Coast next day, and could not afford to be absent), in telling the King and chiefs that the Queen of England would never allow kings and chiefs on this Coast to put their people in log, in dungeons for crimes they could bring before our courts, where justice would be done by magistrate instead of their cursed fetish men, who possessed no power but that of the devil by their terrible contrivances. There are Magistrates' Courts held here, at Accra, and at Cape Coast daily; and for crimes of a bad kind, there is a court held at Cape Coast every month, so that there is no excuse at all for Anamaboe within three hours' walk of the seat of Government.

"I warned your King in May last about cruelty, and do so now again for the last time, that should I hear of anything of the kind taking place any more, I will bring him before the chief magistrate for trial at Cape Coast, where he will get hard labour. I have no objection to your settling petty debts, land cases, disputes, and other trifling differences arising amongst yourselves, but for such crimes as murder, robbery, cruelty, assaults, and the like, you must leave them to British law, and beware of putting persons in log at all, or flogging, and the like punishments. The name of log to an Englishman is horrible, although to your ideas it is but a trifling punishment, because you are hardened to it from usage. If the English saw your laws were good, and trials just, they might not interfere; but what do they see and hear concerning them?"

7. They see men and women put into log and cast into prison, and then left for days without eat or drink, if their relations do not hear of it, and bring the wretched creatures to sustain life; sometimes they are allowed to sit, other times they are made to stand up, fastened by a staple driven into the log or beam around the wrist, and as they are never allowed outside their prison, their state of filth and sufferings can better be imagined than described here; and at whose instance are these punishments inflicted but the fetish man's, in his contrivance to extract money from the friends of the unfortunate victims who are flogged, for not telling on the supposed offenders in support of fetish craft, with whom and with which all African kings and chiefs are locked hand and hand together for sake of power, money, and terror to the wretched people placed under them all over this coast. It is bad enough to know of fetish doings in remote parts of the Protectorate without hearing and witnessing its operations under the very walls of our forts; allow me to say, therefore, it is my intention to cause every king or chief to be tried in the Criminal Court who may be reported for inflicting these punishments on their people; and with this warning I dissolved the meeting, and proceeded to Cape Coast, where I arrived that night with the troops, trusting that slight as has been the chastisement on this occasion, it will serve as a lesson to those concerned; and having observed one of King Aggery's councillors present at the meeting, who will tell all he saw and heard on the occasion, serving one to him also; as what these chiefs felt most was, being put in handcuffs, advice and kindness being totally lost upon such heartless men, resolute action being the only means of dealing with them, letting them see who is master.

8. I may here mention that last week King Aggerry set several prisoners free on getting the hint that he was to be reported to me for having a dungeon full in log.

Hoping that the little I have done will meet with your Excellency's and Earl Carnarvon's approval,

I have, &c.
(signed) *Edw. Conran,*
Colonel and Administrator of the Government.

His Excellency Colonel Blackall,
Governor-in-Chief,
Sierra Leon.

Enclosure 2, in No. 22.

Encl. 2, in No. 22.

(No. 1.)

Sir, Anamaboe Fort, 5 May 1866.

In accordance with the desire of his Excellency, conveyed to me in your letter of the 18th April, c. 131, regarding the complaint laid by Quasie Adoo of Brarquah, against Quow Ammooarnoo, King of Anamaboe, as embodied in the summons forwarded for my guidance, and the which summons I herewith enclose, I have the honour to make you acquainted with the fact, for his Excellency's information, that I have inquired fully into the circumstances of that case, as you will perceive by the enclosed copy of the Minutes; and that my opinion, which I beg to give with all due deference, as requested, is as follows:

1st. That the King should not have granted Jane Adams a summons against Quasie Adoo, as he does not belong to his district, and is no subject of his; and the King consequently had no jurisdiction over him.

2ndly. According to the evidence before me, I do not see the grounds on which the King made Quasie Adoo to be indebted to Jane Adams for the sum of 26 ozs. 0½ acs. in gold dust, as Quasie Adoo did not become security for Quow Affordoo, nor was he present when the goods were delivered to Quow Affordoo, neither has any witness come forward to prove that Quasie Adoo became responsible to Jane Adams for the said goods.

3rdly. Quasie Adoo gave no provocation whatever to the King to cause him to send some of his people after him, to seize him at Agah, and when brought back to put him in irons, as when Jane Adams swore the oaths on him, he went and informed the King of it, who, as he said in his own defence, was not pleased at Jane Adams' conduct; and, further, Quasie Adoo, prior to leaving the town, informed both of them of his intention to go to his country, as he was not indebted to Jane Adams.

4thly. The King acted, I think, most illegally, unwarrantably, and unadvisedly in imprisoning Quasie Adoo, and putting him in irons, on such evidence as he had before him, and an example should be made of him, so that all other kings and chiefs may be deterred from acting in such an illegal and precipitate manner, otherwise the personal liberties of Her Majesty's subjects will be greatly endangered.

I have the honour now to await on his Excellency for further instructions in this matter, and beg to inform him that Quasie Adoo is anxiously awaiting the decision his Excellency may give, as he is desirous of returning to his country, having been absent some time.

I have, &c.
(signed) *S. C. Brew,* J. P.

The Honourable Alphonso Cary,
Acting Colonial Secretary,
Cape Coast.

(No. 2.)

Sir, Government House, Cape Coast, 18 May 1866.

I am directed by his Excellency, the Administrator of the Government, to state, in reply to your letter of the 15th instant, relative to the conduct of the King of Anamaboe towards one Quasie Adoo, of Brarquah, that as the Supreme Court is closed for the present for the want of a properly qualified person to preside therein, the case against the King of Anamaboe is necessarily postponed.

But you are fully authorised to warn the King and parties complaining against his cruel and illegal acts, that they are to consider themselves in readiness to appear at Cape Coast on being summoned for that purpose.

King Ortabil, King Aggerry, and Chief Attah, have each and all been punished for acts of cruelty towards natives, and so shall the King of Anamaboe also; he may rely upon it, it being his Excellency's intention to put a stop to cruelty, fetish, and swearing on King's oaths.

You may also tell the King, that if he be proved guilty of what he stands charged with, his courts will be closed for ever against the hearing of native causes, there being Queen's magistrates

magistrates and British Courts at Anamaboe, and where they are, there should be no other.

I have, &c.

S. C. Brew, Esq., J. P.,
Anamaboe.

(signed) *A. E. Donelan*, Lieutenant,
Fort Adjutant,
Acting Private Secretary.

(No. 3.)

Sir, Anamaboe, 14 November 1866.

I BEG most respectfully to acquaint you, for the information of his Excellency the Governor, that on the 12th of this month my husband, Cofee Asamee, whilst on his way to Cape Coast with his master, was forcibly and illegally seized by order of King Quow Ammonoo, of this place, and dragged into his prison, and immediately placed in a log of wood, by fastening an iron staple round his right wrist, and nailed so tight down that now his arms have swollen up to his shoulder; from that day he has been undergoing the greatest torture that could ever be expected from a tyrant King, being whipped constantly by the King's orders; and to-day he was undergoing the same infliction in my own presence.

I inquired into the cause of this cruel treatment, and after many abuses from the King's people, the reply was, that they suspected him, by a report, of having stolen some money belonging to another man. To explain this report, a young man, who also had undergone the same torture for several days (and still now in King's *Prison* with my husband), saw a Fetish man who was sent for to play his fetish in order to discover the robbery, the young man telling or warning him (the fetish man) against an order from his Excellency about fetish playing, was construed into a crime, and was seized, logged, and thrown into prison, that either of them must have stolen the money or know something about it; and this led the King to order this torture until one or the other must tell where the money is deposited.

I therefore humbly beg that you will be pleased to move his Excellency the Governor to order my husband's removal from this torture until the matter be investigated by the Court, as he is suffering much.

I am, &c.

Lieut. Hamilton, 2nd West India Regiment,
Private Secretary.

(signed) *Ambah* × *Mayeemah*.
her mark.

(No. 4.)

Sir, Cape Coast Castle, 23 November 1866.

IN obedience to your Excellency's instructions I proceeded on the 19th instant to Anamaboe for the purpose of inquiring into the case of Cofee Asainee, reported to be retained in log, upon suspicion of theft, by the King of Anamaboe.

On my arrival at Anamaboe, I at once summoned the King, and his principal chiefs and headmen to appear before myself and Mr. Brew, J.P., which summons he obeyed the next morning at 11 o'clock a.m. I requested Mr, Brew to sit with me, and proceeded to investigate the case. Mr. Brew, on receipt of the letter informing him of my coming, had at once proceeded to the King's house and liberated the prisoner; not, however, without difficulty, the King objecting to obey Mr. Brew's orders, unless he was furnished with the letter authorising Mr. Brew to demand his prisoner.

The first witness examined was the man Cofee Asainee, whose evidence proved the following:—On the 12th instant Cofee Asainee was forcibly arrested by order of the King, as he was on the point of starting for Cape Coast with his master, and was then taken to the King's Court. After a large amount of intimidation had been practised upon him, to induce him to confess to a theft of money from the house of a Mr. Mason, he was lodged in gaol, his request having been denied to be taken to the British fort to be tried by Mr. Brew.

He was then put into log, at first with the right hand alone, and afterwards with the left, and was left in prison during the time occupied by the King in going to the Bush to make custom. During this period he stated that he was subjected to repeated floggings and ill-treatment, once in the presence of his wife, Ambah Mayeemah. He was also exposed to intimidation on the part of the King's servants, to make him confess his crime; and was finally brought up before the King's Court on Saturday, the 17th instant, for final examination.

While this examination was proceeding Mr. Brew arrived and liberated him; Cofee Asainee bore the mark of the iron staple on his right wrist, a large and painful sore having formed there, from the close pressure of the staple. He bore no marks of violence elsewhere.

The foregoing statement was corroborated in every particular by his two wives, Ambah Mayeemah and Effuah Yamooarbah.

The King of Anamaboe, in his defence, admitted that he put the man Cofee Asainee into a log, but stated that he gave his people no authority to flog or ill-treat him. He also

contended his perfect right to take these measures. The only evidence which the King could adduce was that Mason suspected Cofee Asainee of being the thief, and this he considered justified him in putting him into log, and confining him.

I explained to King Quow Ammonoo that where British courts existed, it was out of the qustion to try criminals in a Native court; that there was no objection on the part of the Government to the Native courts deciding small disputes between themselves, petty debt cases, and such matters; but I informed him that criminal cases in places where a British Court existed, could not be permitted to be brought before any other tribunal; and that such proceedings as he had taken tended to nullify British law upon the coast. I also informed him that he was liable to a prosecution in the Supreme Court for cruelty; but that your Excellency wishing to deal leniently with him, had instructed me to deal with this case in a political point of view, although this was not the first offence of the like nature committed by the King of Anamaboe.

In conclusion, I fined the King 6 oz. of gold, and prohibited him from holding any further courts until your pleasure should be known. I gave the King one hour and a half to bring the money; but at the expiration of that period I discovered that he absconded, and was in hiding. I therefore took my departure, all efforts to find the King being ineffectual.

I would wish to remark that the head chief, Quow Appeah, was extremely violent and disrespectful during the proceedings; and that I could only keep him and others quiet by a threat of summary ejection from the Court.

I have, &c.
(signed) *H. T. Ussher,*
Colonial Secretary.

His Excellency Colonel Conran,
Administrator.

(No. 5.

Sir, Anamaboe, 21 November 1886.

We, the undersigned chiefs, headmen, and other residents of this place, most humbly beg to call your Excellency's attention to our brief complaint.

It is that we are given to understand that there was a charge brought before your Excellency against our King, Quow Amoanoo III., for putting a man into a log; the case has been tried at your instructions by Mr. Ussher, and which he fines the King 6 oz. for being guilty. We, in the meanwhile, beg your Excellency to understand that in a country like this wrongs must always be committed; differences must arise which could not be dealt with from a European point of view, and it is only under the penalty of Native laws and customs could such evil-doers be more easily put in a check; not that we do not appreciate the Queen's Courts, but that the uncivilized understand and revere the Native laws very much better; and so we thought it proper to empower our King to check the stubborn and incorrigible evil-doers by this means. So therefore we beg to acquaint your Excellency that we do not see our King's fault in putting a person into a log, which is sure to bring peace; and therefore do not find it necessary for him to pay the fine imposed.

We remain, &c.
(signed) *James Quansah,*
Magistrate
(and 12 other Signatures).

To His Excellency,
The Acting Governor and Administrator
of the Gold Coast,
Cape Coast.

— No. 23. —

No. 23.
Governor Blackall to the Right Hon. the Earl of Carnarvon.
24 Dec. 1866.

(No. 62.)

Copy of a DESPATCH from Governor *Blackall* to the Right Honourable the Earl of *Carnarvon.*

Government House, Sierra Leone,
24 December 1866.

(Received, 31 January 1867.)
(Answered, No. 78, 23 February 1867, page 101.)

My Lord,

1. I have the honour to inform your Lordship that on my arrival from Bulama on the 17th instant, I found John Aggery, commonly called King of Cape Coast, a prisoner here, in charge of Lieutenant Hamilton, 2nd West India Regiment, having been forwarded by Colonel Conran, Administrator of the Gold Coast, for the reasons contained in the Despatches and Papers of which I enclose a copy.

1.

2. I immediately

2. I immediately laid these papers before the Law Officer of the Crown, Mr. Huggins, who, having received a declaration from Lieutenant Hamilton, gave me, for my guidance, the opinion, of which, with Lieutenant Hamilton's statement, I enclose a copy. 2.

3. On the next day I assembled the following officers for the purpose of informing Aggery of the course which I intended to pursue, namely:—the Colonial Secretary, the Police Magistrate, and Commander Lowther, R. N., the Queen's Advocate being in waiting. I also allowed Aggery to choose any two gentlemen he might please to accompany him, and counsel if he wished it; the latter he declined; but he selected Mr. Smith, Registrar of the Mixed Commission Court, and Mr. W. Ray Taylor, a merchant who trades to the Gold Coast, as his friends.

4. When all were assembled, I read over to them the correspondence which had led to Aggery's removal from Cape Coast, and also the former correspondence regarding this man's conduct, contained in a Despatch from your Lordship's predecessor, No. 24, page 91, of 23rd May, and also mine to Colonel Conran, No. 23, of 12th June, of which your Lordship had approved. Copies enclosed. 3.

5. I then informed Aggery that this was too serious a case for me to determine without reference to your Lordship; more especially as he had stated in his last letter to Colonel Conran that he had written to your Lordship direct, declining to recognise me, on the plea that I had refused to answer his petitions, but that I would allow him to remain here on parole, on his making an application and signing a declaration in the forms prescribed by the Queen's Advocate. Copies enclosed. 4.

6. Aggery accepted this offer; and I set him at large, allowing him 5*s.* per day for his maintenance, and giving him the use of some Colonial furniture, subject to your Lordship's approval, as to this being a charge against the Colonial Government at Cape Coast, or be recovered from Aggery.

7. I am quite persuaded, and in this I am joined by all the officers who were present, and also by the two gentlemen who acted as his friends, that Aggery is not the real offender in this case, but that he has been made a tool of by the man * * * whom he calls his representative. Aggery knows very little English; and on my reading over to him his letter to Colonel Conran of the 6th December, he was evidently ignorant of what he had there signed; and it was only with difficulty, through the medium of an interpreter, that I could make him understand how insulting and threatening were the expressions used therein.

8. This I respectfully submit, far from making him a desirable ruler, renders his presence in Cape Coast, with the title of "King," a source of constant danger, as he is put forward by artful men whom we cannot reach so long as Aggery is the ostensibly responsible person.

9. If your Lordship will turn to the evidence taken before the Parliamentary Committee in 1865, Colonel Conran's evidence, page 262, you will find that from 1856 until 1865 there was no "King" at the Gold Coast, when Mr. Pine, for reasons not stated, recognised this man, John Aggery, as King; but Colonel Conran goes on to explain that Governor Pine* refused to recognise his right to appoint magistrates, or to exercise jurisdiction in opposition to British authority.

10. My own opinion is, and I respectfully submit it to your Lordship, that so long as the Administrator of the Government, the civil officers, and military occupy Cape Coast, where they must be located in the town as well as in the Castle, this attempt at divided authority must lead to constant collision. There would be no objection to recognise a Head man; but he must be understood as being under the immediate orders of Her Majesty's representative.

11. If your Lordship will kindly turn again to the evidence taken before the Committee, you will find at page 326, Questions 8405 and following, upon the testimony

* *See* also Mr. Pine's Evidence, Questions 7503 and following, page 293; also Questions 7834 and following, page 304.

testimony of a Mr. Martin, who was specially despatched to represent Aggery's supposed grievances, that his total revenue, irrespective of private means, was 100 *l.* each six months; and that he felt himself bound to lay out the whole of this on improvements in the town. I do not, therefore, consider that, should your Lordship arrive at the conclusion of sanctioning the deposing of King Aggery by Colonel Conran, he could complain, if upon giving security for his future good behaviour, he were permitted to return to Cape Coast, enjoying his private means, and being allowed a pension for his own life of 100 *l.* per annum.

12. I very much regret, from all the evidence received in this case, and also in the case of the King of Anamaboe, referred to in another Despatch, to be obliged to arrive at the conclusion that our presence at the Gold Coast has not yet done much towards civilising the natives; and I feel convinced that nothing but a firm enforcement of British law over those chiefs, who are on our very border, will prevent an almost immediate return among these Fantee tribes to the abominations of slavery and torture, in which they appear to rejoice. I trust, therefore, your Lordships may uphold Colonel Conran in the course which he is pursuing.

I have, &c.
(signed) *Sam. W. Blackall,*
Governor in Chief.

Enclosure 1, in No. 23.

Encl. 1, in No. 23.

(No. 109.)

Government House, Cape Coast,
Sir, 7 December 1866.

THE mail being about to close, I have time only to forward a copy of a very seditious communication which I received from King Aggery of this place, the contents of which will speak for itself; and as he says he has forwarded a similar report to the Secretary of State, I deem it but proper to send this on to your Excellency at once, whilst you may rely upon it that I shall act with fairness and prudence without delay. I have, from the day I landed here, pointed out the object which this man has had in view of self-government; and now that he cannot succeed he threatens me with a repetition of the late Jamaica rebellion, for which he must answer at once, or there will be an end to our authority over the Gold Coast.

I will therefore make him a prisoner to-morrow and dethrone him, subject to Her Majesty's approval; trusting to your Excellency's support, while I wish very much that you were here just now,

I have, &c.
(signed) *Edward Conran.*

His Excellency, Colonel Blackall,
Governor in Chief.

Sir, Cape Coast, 6 December 1866.

I HAVE the honour to inform your Excellency that the time has now come for me to record a solemn protest against the perpetual annoyances and insults that you persistently and perseveringly continue to practice on me in my capacity as legally constituted King of Cape Coast.

I presume your object is to endeavour all in your power to incite me and my people to enact more of those fearful things that took place in Jamaica that I have heard of. But I respectfully beg to inform your Excellency that you are labouring under a great disappointment, and however much you may wish to have me and my people under martial law, you will never have that pleasure.

The Right Honourable the Earl of Carnarvon has laid it down in his speech on the 2nd August last, that we are all entitled to redress at his hands as the Colonial Minister. To that quarter I shall appeal for the last time, and then if some tangible satisfaction is not accorded to me and those whose interest I am bound to protect, it will be time enough for me to adopt those measures which will ensure to me and my people something unlike the slavery that you are endeavouring to place us in.

I am fully aware that all your vengeance on me owes its origin to the fact that I exposed you for those fearful acts that took place on the 4th September 1865, when my people were butchered by your soldiers, some by your own personal superintendence, as declared to by them in their dying declaration before the Queen's Magistrate, Mr. Cleaver, and other reliable witnesses; and I further beg to inform you that I shall not omit to bring before the English Government at the Downing-street, your personal attack upon King Ortabil

Ortabill in my own presence on the 18th March last, when two of his men were wounded, one of whom died a few days afterwards from the effects of the wound inflicted on him.

It is impossible for me to endure your tyranny, annoyances, and abuses any longer, nor will I be subject to the disunion that you are daily endeavouring to create amongst my chiefs and others.

The Earl of Carnarvon shall be the judge between you and me, as I find (through you) that the Governor General at Sierra Leone will not ever answer my petitions; forgetting doubtless that the Government in England has expressed its desire that we, the kings and chiefs of the Gold Coast, are to prepare ourselves for self-government and no protection, although they forget at the same time to do away with the obnoxious and unpopular rum license, and other taxes which press so heavily on my people.

The Government of England have sanctioned and encouraged our having courts of our own. That being the fact, by what degree of official audacity may I ask did one William Z. Cober enter my* , to pry into matters which concerned me as the head of my court, and when he was prevented from doing so, thought himself insulted, called in a company of police, and seized two of the officers of my court, and taken into prison, and still pursuing after two others to treat them alike. This unwarrantable conduct of your officer has been reported to you by me, but your Excellency has connived at it. Also by your previous order of the 3rd instant, four prisoners were discharged from my town prison, the particulars of which I beg to refer you to my letter dated the 4th instant, to which no reply has been sent. For the last time I desire to call your attention to this last gross outrage, and should it again occur the responsibility rests at your door.

* *Sic* in orig.

I have to inform your Excellency that accompanying my letter to the Earl of Carnarvon, a copy of this will be sent to his Lordship; and may God incline your heart to justice.

I have, &c.
(signed) *Aggery*,
King of Cape Coast.

His Excellency, Colonel Conran,
Administrator, Gold Coast.

Government House, Cape Coast,
8 December 1866.

Sir,

With reference to sundry communications already forwarded regarding King Aggery's conduct, I have now the honour to inform your Excellency that I have made a prisoner of this arrogant man, whom I have shipped for Sierra Leone by this mail, under charge of Lieutenant A. Hamilton, 2nd West India Regiment, Fort Adjutant, who will hand him over to be dealt with as your Excellency may judge expedient. He was apprehended and put on board this morning, very quietly.

If the report be true that the Ashantees seem likely to join the Aboonahs, as Captain Croft describes, I deem it imperative on me to send this man out of the Protectorate altogether. Lieutenant Hamilton will give your Excellency some idea of King Aggery's insubordination and endeavours to rule on the Gold Coast, in direct opposition to the Queen's authority.

I intend issuing a proclamation this day, subject to your Excellency's approval, declaring King Aggery no longer King of Cape Coast, closing his native courts altogether.

I have permitted the King to take a servant and everything else he wanted with him, and have paid his passage as chief-cabin passenger to Sierra Leone.

I have, &c.
(signed) *Edward Conran*,
Colonel, and Administrator of the Government.

His Excellency, Colonel Blackall,
Governor in Chief.

Enclosure 2, in No. 23.

Freetown, Sierra Leone, Encl. 2, in No 23.
19 December 1866.

Sir,

I have perused the papers received from your Excellency, namely, Colonel Conran's despatch of 7th December 1866, covering King Aggery's communication to him, of the 6th, and the administrator's subsequent letter of the 8th December, informing your Excellency that he had sent King Aggery to Sierra Leone in charge of Lieut. Hamilton, to be dealt with as your Excellency may judge expedient.

I have obtained a statement from Lieut. Hamilton which he is prepared, he says, to swear to, relative to King Aggery's conduct and proceedings at Cape Coast. He had previously mentioned to me the King's conduct, and I learnt from him that the Court at Cape Coast had exercised power and jurisdiction on several occasions, to his knowledge, in punishing not only ordinary natives and other persons, but also chiefs and kings in the Protectorate, for offences committed by them, and had enforced the punishments awarded; and that the judgments and decisions of the Courts, and their jurisdiction, had been submitted to accordingly.

Under these circumstances, and looking at the highly improper, offensive, and insulting letter addressed by King Aggery to the representative of Her Majesty, on 6th December instant, charging his Excellency with "endeavouring to incite him and his people to commit acts of rebellion;" declaring his intention of "adopting measures which will insure to him and his people something unlike the slavery the Queen's representative was endeavouring to place them in;" charging the Queen's representative with the "butchery of his (Aggery's) people by the Queen's soldiers, and of some under his Excellency's own personal superintendence;" declaring it "impossible for him to endure his Excellency's tyranny, annoyances, and abuses, any longer; nor would he be subject to the disunion his Excellency was daily endeavouring to create amongst his chiefs and others;" charging the Home Government with "acts of injustice in not removing obnoxious taxes upon his people;" charging his Excellency with "conniving at unwarrantable and audacious conduct on the part of one of his Excellency's officers," and with a "gross outrage against himself (King Aggery), in ordering the discharge of four prisoners from his town prison;" and lastly, threatening that "should his Excellency (Her Majesty's representative" having the power to pardon and release offenders from punishment) "repeat so gross an outrage, the responsibility would rest at his door," a threat conveying determined resistance on his part against the authority and prerogative of the Crown, whatever might be the consequences.

I consider King Aggery's letter a very seditious one, and his conduct, as reported by Lieut. Hamilton, and referred to by Colonal Conran, such as if allowed to continue would, I fear, tend to engender disaffection on the part of the native population, and resistance, as threatened by him to the Queen's authority, especially if he has any influence, as I am told he has with a certain class, the largest in number; and it would be perhaps dangerous to the peace and quiet of the country around Cape Coast, if he were permitted to return, whether as king with his proper and limited authority, or as an ordinary person, after having been deposed from his kingship.

His seditious letter to Colonel Conran renders him amenable to law, and he could be tried in this Colony under the Orders in Council of 3rd September 1844 and 25th November 1853, and the Acts of Parliament of 6 & 7 Vict. c. 94, and 6 Vict. c. 13.

If found guilty he might, at the expiration of his punishment, return to Cape Coast, and the mischief apprehended by his reappearance might follow.

It would be advisable to delay all proceedings against him, until your Excellency should receive instructions from the Right Honourable the Secretary of State; and as in the meantime it would be better he should not be imprisoned, if it could be avoided, he might be permitted to be at large on parole, if he desires it, on the condition of not quitting this city; of giving notice of the place of his abode, and showing himself to the inspector general of police, or any of his sub-inspectors, daily; and of delivering himself up to your Excellency whenever called upon, to be dealt with as may be deemed necessary.

Should he not propose his release on parole, or not accept it when offered to him, the only course I see open to your Excellency, under the circumstances, and until you obtain instruction from the Home Government, would be to have him kept in safe custody so that he may not escape, and in the common gaol, with as much freedom of movement as may be prudent, if no proper and secure place can be found apart from other prisoners.

Her Majesty's Government may, on receipt of Colonel Conran's despatch to your Excellency, with the accompanying papers, consider it prudent to exile so turbulent and mischievous a petty chief or king of Cape Coast Protectorate, to prevent his return thither, than sanction his trial in this colony as an offender, which would enable him to return after expiration of the term of his imprisonment, and perhaps incite, without detection, the populace to acts of insubordination and resistance to the authorities.

Captain Howard, who arrived from Cape Coast on his way to England, told me that the inhabitants were in fear of their lives, and in daily expectation of an attack upon them by Aggery's coherents, the most numerous and dangerous class; and that Aggery's return to Cape Coast would be the signal for very serious outbreaks, which it was feared would soon have taken place had not Colonel Conran acted as he had done, by securing the person of Aggery and shipping him off to the Colony.

A Mr. Hughes is referred to as King Aggery's "magistrate;" it is more than likely that he and one or two other turbulent men have been inciting King Aggery to the course of opposition shown by that petty chief to Her Majesty's authority at Cape Coast, and wrote the seditious letter for the king; if this could be proved, they would be amenable to law as well as King Aggery; perhaps King Aggery's evidence would be necessary, and he might turn round upon these men, and give such evidence to escape more serious punishment himself. This might prove of advantage, as convincing men who incite the petty chiefs to illegal actions, that these chiefs, when secured for trial, would not hesitate to inform against such friends in return for wrong advice, leading them into trouble with the Government.

I have, &c.

(signed) *Horatio Jas. Huggins,*
Queen's Advocate.

His Excellency the Governor in Chief,
&c. &c. &c.

STATEMENT relative to the Conduct of *John Aggery*, King of Cape Coast.

ON the morning of the 7th December, his Excellency Colonel Conran received a letter through his colonial secretary's office (brought by the head men of King Aggery), containing certain expressions against the Government which could not be passed over; before any steps could have been taken, his Excellency Colonel Conran wished to ask King Aggery in person certain questions with reference to this communication, and wrote himself to the King, requesting his attendance at Government House at one o'clock.

It had struck 3, but no sign of the King. Mr. Ussher, colonial secretary, was then ordered to write a few lines regarding the cause of his not coming, and I was sent with the letter and instructed to wait for an answer; on my arrival at the residence of the King I was informed he was out; knowing, however, this to be false, in consequence of having seen the king outside on a country chair, I asked the messenger to look again and make himself sure on the subject; on his return he informed me the king would see me outside. I objected to see him in the open street, and requested an interview in his house; before long, however, he came. I gave my letter and told him I waited for an answer. I then went into his room, and spoke to him in a very quiet manner; he told me he could not send answers to letters, as he had no people for that sort of thing, and asked me whom the Governor thought he was going to send with an answer. His whole manner was very insubordinate and rude in the extreme towards me, telling me he did know who Colonel Conran was, but that he was the king of the people; he had no palaver with the Queen's representative, and that now he had no more letters to send or answer. I asked then, "Did you send this letter without any signature?" He said "I did send the letter." I then wished him to look at the letter, and proved it was without any signature.

I then requested as he had sent it to affix his name and title. "This of course I will do, and send it, and I mean what I did, as Colonel Conran has nothing to do with me; I am the king of Cape Coast." I replied, "But under the Governor." He said nothing more, but signed the letter, and promised most faithfully to be at Government House at 4 P. M. the same afternoon. He never, however, came; and then at 5.15, Colonel Conran left for Conran's Hill.

The whole manner of King Aggery, together with the words made use of, abusing everybody in authority, was highly insubordinate, and tended to lower the Administrator and his subordinates in the eyes of the natives.

During the time, that is to say, from my arrival on the Coast, when I was at once appointed private secretary, several times too numerous to mention had King Aggery misbehaved himself. One day in particular, when Colonel Conran received from his Excellency the Governor in Chief, orders to bring King Aggery to Government House with reference to a petition, and inform him in a manner he would (that his conduct was seditious and malicious in the extreme), or words to that effect, he came; but when the Governor went out to meet him and the other chiefs of the town, who all immediately stood up and gave every sign of great respect, King Aggery, together with his chief magistrate, a Mr. Hughes, another most insubordinate coloured man, and the whole of King Aggery's party, remained seated; but his Excellency Colonel Conran ordered them at once to stand up and pay proper respect to the representative of the Queen of Great Britain. This they all did, but only because they were forced.

I have, &c.
(signed) *J. Angus L. Hamilton*, Lieutenant,
Fort Adjutant.

The whole is a true statement, and can be sworn to.

(signed) *J. A. L. H.*

Enclosure 3, in No. 23.

(No. 24.)

Sir, Downing-street, 23 May 1866. Encl. 3, in No. 23.

I HAVE received your Despatch, No. 1 Gold Coast, of the 19th April, accompanied by one from Colonel Conran, forwarding a very unsuitable letter addressed to him by John Aggery, the King of Cape Coast Town, and giving an unfavourable account of Aggery's proceedings.

I do not apprehend that Colonel Conran has exceeded the powers which have hitherto been exercised by the Governor of the Gold Coast, in repressing the abuses committed by native chiefs. It appears that the result of the recent Parliamentary inquiry has been misrepresented by Aggery and his agents, and I should be sorry if the impression thus sought to be created were encouraged by any exhibition of weakness on our part. Aggery's proposal to establish a military force is mischievous, and his claim to revenue inadmissible, and his pretensions should be effectually discountenanced. He may be told that, in return for protection, we expect deference to our authority, and that he will not be permitted to make himself an exception to this rule.

(signed) *Edward Cardwell.*

Governor Blackall,
&c. &c. &c.

(No. 23.)

Government House, Sierra Leone,
12 June 1866.

Sir,

Referring to your Despatch, No. 3, of April 12th, covering a letter addressed to myself from King Aggery, and other documents, proving insubordinate conduct on the part of the said King Aggery, I have now the pleasure to inform you that the steps taken by you have met the approval of the Right Honourable the Secretary of State for the Colonies.

You will please to cause King Aggery to be informed, in a manner which he cannot misunderstand, that his proposal to establish a military force is mischievous, and his claim to revenue inadmissible; that, in return for the protection of Her Majesty's Government, deference is expected to the authority of Her Majesty's representative, and that he cannot be permitted to be an exception to this rule; that the result of the late Parliamentary inquiry has been misrepresented by himself and his agents; and that neither I, as Governor in Chief, nor Her Majesty's Government, will pass over any attempt on his part to oppose or obstruct Her Majesty's representative at the Gold Coast.

I would also suggest, if you see no objection, that you send to all chiefs of the protected territory, notifying to them that all complaints against British subjects, or against one another as chiefs, must be submitted directly to yourself, and not through the medium of any other chief.

I have, &c.

His Excellency Colonel Conran.

(signed) *Saml. W. Blackall,*
Governor in Chief.

Enclosure 4, in No. 23.

Freetown, Sierra Leone,
20 December 1866.

Encl. 4, in No. 23.

May it please your Excellency,

His Excellency Colonel Conran, Administrator of Cape Coast Settlements, having sent me on to Sierra Leone in custody of Lieutenant Hamilton, to be dealt with as your Excellency may consider necessary, under certain complaints and charges made against me by his Excellency Colonel Conran, and being desirous and requesting of your Excellency that the whole question of my conduct should be laid before Her Majesty's Secretary of State in the first instance, for the consideration and decision of Her Majesty's Government, I hereby sincerely and solemnly declare and affirm—your Excellency being pleased to allow me to be at large on parole—and will, in the presence of witnesses, sincerely and solemnly declare and affirm, that I will not quit the city of Freetown except by permission of your Excellency, but at all times reside therein, and will make known to the Colonial Secretary and to the Inspector General of Police my place of abode, and whenever I may change the same. I will also show myself to any inspector, serjeant, or corporal of police twice every day, if called upon, and upon production by him of the written authority of the Inspector General for that purpose; and further that, whenever called upon by your Excellency, to deliver myself up, to be dealt with as your Excellency may deem necessary, or as Her Majesty's Government may direct, I will deliver myself up accordingly.

(signed) *Aggery*, King of Cape Coast.

Witness
(signed) *John Ashwood.*

To his Excellency
Colonel Samuel Wensley Blackall, Governor
and Commander in Chief
of the West African Settlements.

I hereby, in the presence of the undermentioned witnesses, sincerely and solemnly declare and affirm, that his Excellency being pleased to allow me to be at large on parole, in compliance with and upon the conditions contained in my foregoing request and declaration, I will in every respect comply with such my solemn declaration, and will not quit this city of Freetown, but deliver myself up at any time when required by his Excellency the Governor in Chief.

(signed) *Aggery*, King of Cape Coast.

THE foregoing solemn declaration was made and subscribed in our presence this 20th day of December 1866.

Witnesses present:

(signed) *A. Bravo*,
Police Magistrate.
Marcus Lowther,
Commander R.N., H.M.S. "Dart."
A. Pike,
Acting Colonial Secretary.
Wm. Smith.
Registrar, Mixed Commissioners.
W. R. Taylor,
Merchant.

— No. 24. —

(No. 2.)

No. 24.

Governor Blackall to Right Hon. Earl of Carnarvon. 15 January 1867.

COPY of a DESPATCH from Governor *Blackall* to the Right Honourable Earl of *Carnarvon*.

Government House, Sierra Leone,
15 January 1867.
(Received, 2 February 1867.)
(Answered No. 78, 23 February 1867, page 101.)

My Lord,

I HAVE the honour to enclose to your Lordship copy of a despatch with various enclosures, which I have received from the Administrator of the Gold Coast with regard to his deposition of Aggery, commonly called King of Cape Coast.

Aggery still remains here on his parole, and seems well contented. I have the honour to enclose a letter which he has requested me to forward to your Lordship.

With regard to his complaint of five shillings per day not being enough for his maintenance, I asked him what he thought would be a fair allowance, and he has requested time to answer this question. I believe that the present allowance is ample for his wants.

I have, &c.
(signed) *Sam. W. Blackall*, Governor.

Enclosure 1, in No. 24.

(No. 112.)

Government House, Cape Coast,
31 December 1866.

Encl. 1, in No. 24.

Sir,

WITH reference to my Despatch, No. 110, of the 8th instant on the subject of King Aggery's arrest and deportation to Sierra Leone, I have now the satisfaction of reporting for your Excellency's information that peace and quietness prevails throughout the districts of Cape Coast, a fact which is to be attributed entirely to the steps taken on the 8th, in sending this chief so promptly out of the protectorate altogether, as detaining him in the castle would only be the means of keeping seditious meetings and agitation amongst his misguided followers, who are now, I am happy to state, beginning to see their errors, whilst Mr. Hughes, Aggery's Prime Minister, has deserted to Elmina (just as his master had been apprehended), where he now resides under Dutch protection.

2. And as to Martin and Carr, Aggery's Commissioners sent to England to attend the House of Commons Committee in June 1865, who returned in September with all sorts of reports as to what the Government were going to do for them, amongst which, they had distinctly given out everywhere that the natives were there and then to govern themselves; from which moment up to the date of his arrest, King Aggery left no stone unturned in order to assert his right to govern, and not Cape Coast district only, but the entire protectorate, as from the position he had obtained at the seat of Government, he spared no exertions in his endeavours to coerce the other kings and chiefs into submission, facts well known from my various despatches at the Colonial Office; it is a matter of the greatest satisfaction to me, therefore, in feeling that I have been able to successfully intercept all his movements, although, I confess, it was at much trouble.

3. The Commissioners have also run away from Cape Coast, King Aggery's friends being about to call them to account for being the cause of all this trouble in misleading them on arrival from England.

4. I enclose copy of my proclamation for your Excellency's approval, declaring Aggery no longer King of Cape Coast, in which instrument I have also declared the Native Court of the town closed, that being the source of all mischief.

I was present at a large public meeting held in the Wesleyan school-room in this town in April 1865, at which Mr. Pine declared to King Aggery's face, that from that hour he was not to be considered King of Cape Coast.

I enclose copies of two appeals made to me against persons being imprisoned in King Aggery's dungeon, which led to the release of themselves and two others on the chief magistrate's warrant served by Mr. Coker, clerk of courts, whose report, is also attached.

I also enclose copy of King Aggery's letter to me of the 4th, and of my reply thereto; whilst I beg likewise to enclose copy of my address to a large assemblage of merchants and inhabitants of the town held on the 10th instant, which was well received by all present, to which I have attached a copy of my military general order issued on the subject of the arrest and embarkation of King Aggery, with which information I will close this despatch, in the confidence of meriting the approbation of your Excellency as Governor in Chief and that of his Lordship Earl of Carnarvon, Her Majesty's Secretary of State for the Colonies, for the steps adopted on this special occasion as tending to the preservation of peace and good order in my intricate Government.

I have, &c.
(signed) *Edward Conran,*
Colonel and Administrator.

His Excellency
Colonel Blackall, Governor in Chief,
Sierra Leone.

Enclosure 2, in No. 24.

(No. 1.)

Encl. 2, in No. 24. PROCLAMATION by his Excellency *Edward Conran,* Colonel Administrator of Her Majesty's Possessions on the Gold Coast, &c.

WHEREAS John Aggery, styling himself King of Cape Coast and its dependencies, has for some time past been guilty of addressing Her Majesty's representative most insubordinately, but more especially so on the 6th instant, in rebelliously threatening his Excellency, the officer administering the Government, with a repetition at Cape Coast of the late unfortunate scenes of bloodshed which took place in Jamaica; these facts which indicate the most hostile views towards the British Government have led to his immediate removal to Sierra Leone, as a prisoner. It is therefore hereby published, declared, and proclaimed that from and after the 6th day of this present month, John Aggery is to be no longer considered and acknowledged as King of Cape Coast, and that the native courts of Cape Coast, for the adjustment of civil and criminal cases, are to be closed. Her Majesty's Courts presided over by the chief and other magistrates being open daily for the administration of justice to high and low, according to the just, noble, and benevolent laws of Great Britain and Ireland.

Given under my hand and the public seal at Government House, Cape Coast, this 10th day of December 1866.

By his Excellency's Command.
H. T. Ussher, Colonial Secretary.

GOD SAVE THE QUEEN!!!

(No. 2.)

Sir, Cape Coast, 28 November 1866.

I HAVE the honour to inform you that my son's, himself, and some of the native had dispute between themself; in which they murder him, and the woman, took out a warrant against him in country fashion, they took him up without try him, and lock him up until this day, Sir, I have wrote you to see if you cannot do some good for me, knowing I am his mother unfealing to me, your petitioner humbly pray and beg of your mercy, in case if you could have him release from they prison. As you are the commander of the coast, I first applied to you, in consequence such thing as the case ought to go before the civil magistrate, but they do as they like unknowing to your favour, Sir, I beg you Sir this is the fifth week since he has been lock up and I beg them of your releasement unto him such favour I much obliged.

I have, &c.
(signed) *Mrs. Lyald.*

The man that have him lock up now his name is Crabbe, in which have him in custody; in which Sir they have charge me nine dollars for releasement, but thinks proper to come to your knowledge first.

Government House, 1 December 1866.

As this woman complains of her son being in Aggerry's gaol for two months, for whose support she pays five shillings a month, which she can't afford, being destitute of all means, may I ask the sitting magistrate to look into the case, or grant an order for the prison being searched to ascertain how far her story is true; if true, these steps can be taken for his release and such others also as may be in prison.

I have, &c.
(signed) *E. Conran,* Administrator.

(No. 3.)

Native Magistrate's Prison, Cape Coast,
Sir, 29 November 1866.

I WOULD most respectfully beg to submit for the favourable consideration of his Excellency, the Administrator, the distressing circumstances in which I am placed, and against which, as a subject of the Crown, I claim the protection of his Excellency.

Toward the close of last month I was summoned at Mr. Hughes' Court by Mr. J. P. Brown, canteen keeper, for *crim. con.* with a woman alleged to be plaintiff's wife.

By an incompetent jury I was declared guilty, and Mr. Hughes imposed on me, without hearing my defence, a fine of oz. 3 with costs. This, Sir, I declined to pay on the ground that the woman in question could not be Mr. Brown's wife within only 24 hours, when it had been found by the same Court that she was not and really could not be a wife to the plaintiff in the face of the fact that Mrs. Brown, the lawful and undivorced wife of the plaintiff, was living; and I signified my intention of appealing to Her Majesty's British Court of Justice; but I was detained by Mr. Hughes until I shall have paid the fine, or satisfied his Court. Under the circumstances, I moved for a summons against him for false imprisonment, which, being granted since the 5th instant, I beg leave most humbly to pray that his Excellency, the Administrator, may be graciously pleased to order my release pending the decision of Her Majesty's Court in the matter.

It is alleged by parties of Mr. Hughes' Court, as a pretence for my being detained here, and deterred from prosecuting my course in Her Majesty's Court of Justice, that I had on a certain occasion promised to pay subscription in aid of the native chest, but may I most respectfully beg to submit that it remains to be proved whether I did even pay a farthing in support of the so-called Town Court.

I beg, &c.
The Hon. H. T. Ussher. (signed) *P. W. Hanson.*

Government House, Cape Coast,
The Chief Magistrate, Cape Coast, 3 December 1866.

Please send the serjeant-major of police to the native prison for the purpose of releasing the complainant, as also the man Lyald; probably there may be a few policemen required.

(signed) *E. C.*

(No. 4.)

Cape Coast, 5 December 1866.

BY virtue of the warrant of the honourable the Chief Magistrate of Her Majesty's Possessions on the Gold Coast, dated the 3rd December 1866, addressed to the Chief Constable of Cape Coast, and to all other peace officers of the same, I this morning proceeded to assist the serjeant-major of police to execute the same.

We first proceeded to the king's house, and showed him our warrant, whereupon he immediately gave up two female prisoners in his house, viz., Moneymahoon, a slave woman belonging to one Adjnah of Cape Coast, and a runaway slave woman, named Yammie Yaw, from Cormendat, slave of Quow Ackoon, of that place. I cannot correctly ascertain the cause of the detention of these persons, but I was informed that the woman Moneymahoon had been given in charge of the king by her mistress to be got rid of, *i.e.* sold, as she, the mistress, had a case in our Court against her for cruelty towards a little slave girl, and she was apprehensive of her being manumitted in the event of the case being proved, which might lead the woman Moneymahoon to appeal to Her Majesty;s Courts for protection. I have not yet examined these women.

We next proceeded to the Town Court Prisons, where I called upon the gaoler to produce the prison list, for my examination, in order to enable me to direct the discharge of those ordered by the warrant.

The gaoler willingly handed me the list, and while engaged examining it, and crossing out those who had been released previous to the date of the warrant, a person by the name of Lamaire, accompanied by one Elias Hooper and John Hooper, came and snatched the list out of my hand, at the same time abusing the gaoler for permitting us to see the prison list, and also abusing us.

(This person, Lamaire, had previously seen the warrant.)

I made them prisoners in the name of the Queen, and ordered the serjeant major of police to take them for resisting the Queen's authority. The serjeant major laid hold of John Hooper, but as his left hand was in a sling in consequence of a boil sore he had under his arm, Hooper resisted and escaped. The others also went away. I had previously directed the serjeant major of police to place some of his men at a distance under the trees, in the street of Mr. Bannerman's house, ready to assist, if necessary. I did not march to the spot with them, as I found that neither the king nor Mr. Hughes was inclined to resist, or showed the slightest disposition to do so.

The serjeant major then blowed his alarm whistle, and the men came. John and Elias Hooper were secured; Lamaire could not be found. I then went up with the serjeant major of police to Mr. Hughes' house, where I heard he had gone. Mr. Hughes appeared to regret what had taken place; said that Lamaire was not there; and, after some conversation on the subject, I left, directing the police to take Lamaire when he could be found.

Mr. Hughes said that as these young men were not authorised to act as they did, he thought they must have been labouring under the excitement of liquor, in consequence of their making "custom" at the time for a deceased relative.

I am well known, both publicly and privately (*i.e.* as a public officer and a private gentleman) by these persons, and but for the personal disavowal of King Aggery and Mr. Hughes, I certainly should think they acted under authority.

The two men at present in custody will be brought up before the Chief Magistrate for trial at his next sitting.

I have, &c.

Thomas H. Whyte, Police Serjeant major. (signed) *W. Z. Coker,*
Clerk of Courts.

Court House, Cape Coast, 7 December 1866.

Before his Worship, Major Mends, J.P.

Elias Hooper and John Hooper having been brought up for having on the 5th instant resisted the serjeant major of police in the execution of his duty, pleaded guilty, and begged forgiveness. His worship, after cautioning them, directed them to be discharged.

Discharged accordingly.

(signed) *W. Z. Coker,*
Clerk of Courts.

(No. 5.)

Sir, Cape Coast, 4 December 1866.

I HUMBLY beg most respectfully to draw your Excellency's serious attention to a certain warrant, purporting to be issued out of the Chief Magistrate's Court of Cape Coast, and signed by Major Delamain Mends, Chief Magistrate, to the following effect:—"To wit. To the constable of Cape Coast, and to all other peace officers of the same. You are hereby commanded in Her Majesty's name to enter the prison or prisons, or place of confinement in the native courts at Cape Coast, and to discharge all prisoners therein confined for any cause whatever, except for debt, and for doing which this shall be your sufficient warrant and authority. Given under my hand and seal, at Cape Coast, this 3rd day of December 1866.

(signed) "*Delamain Mends,* Major and Chief Magistrate."

I have, in obedience to this warrant, bowed with silent respect to your Excellency's command, as having been issued from Her Majesty's representative of this place; but I must state, with all due deference to such loyality, I consider this proceedings on the part of your Excellency is derogatory to myself as a king, and a mark of injustice to my subjects, were I to pass this with silence without representing to you the infringement such step entailed to the rights of my prerogative, and to my people in general.

And I now respectfully approach your Excellency with this desire to reconsider your recent desire, and request the restoration of the four prisoners who were discharged last evening from my prison in virtue of the above-recited warrant.

I need not point out to your Excellency these facts, had there been any tangible reasons or grounds exhibited in my prison or cell which actuated from a corrupt system, motive, or cruelty, there would have been some grounds to such proceedings.

My

My object have been all the while to co-operate with you, and friendly to advise me when necessary; but I regret to say that I unfortunately failed in every attempt I have endeavoured to realise in this object.

The following explanation will serve to show you the judgments under which these prisoners were confined in my prison, namely, P. W. Hansen, in the case of *crim con.*, damages, and costs, 13 *l.* Adams, for common assault, damages and costs, 1 *l.* 16 *s.* 3 *d.*, Kayanakoo, security for debt, four pounds (4 *l.*) Ahinaquah, security for debt, 7 *l.* All these should have been liberated as soon as the claims against them were paid, and in making this demand, I am only asking what I consider to be my right, since I am not meddling with any of Her Majesty's rules of court. I beg to inform your Excellency that P. W. Hansen is a member of my council, and a subscriber to the support of my court, and it is impossible that I would permit any measures of hardship to be imposed on a member of the body of my councillors and subjects.

I have, &c.

His Excellency Colonel Edward Conran,
Administrator, Gold Coast.

(signed) *Aggery*,
King of Cape Coast.

(No. 6.)

Government House, Cape Coast,
6 December 1866.

Sir,

In reply to your letter of the 4th instant, in which you call his Excellency's serious attention to the fact of four prisoners having been released from your prison under a warrant from Major Mends, acting chief magistrate for these settlements, and requesting that they may be restored thereto, I am directed by the officer administering Her Majesty's Government to inform you that, as those prisoners were not released from your prison without good reason, and upon complaint made to the executive, your request cannot be complied with.

Yourself, and every other chief residing on the seaboard, or coast, must be aware that where Her Majesty's courts of law are held open daily for the administration of justice, there can be no other admitted by the Government, whilst for the settlement of land disputes, and other minor offences, and petty debts arising between natives, there is no objection to their adjustment in your court, provided that the sentence awarded are not of a cruel nature or repugnant to British law, and even these cases must be regarded as subject to an appeal to Her Majesty's courts.

And similar complaints having reached his Excellency from Anamaboe, lately, of the King's having unjustly and cruelly treated some of his people in prison, which resulted in a fine being inflicted on his Majesty and chiefs, as well as in the release of the prisoner, a fact you must be aware of, his Excellency thinks, from which it is manifest that the release of prisoners from dungeons is not confined to yours alone; and as you allude to your prerogative, it is the more advisable that you should avoid infringing on those of Her Majesty's representative, who is alone charged with the administration of the affairs of the Gold Coast, lying between Assinee and Quittah, as you may rest assured that your efforts to supersede the laws and institutions of Great Britain on the Gold Coast, by those so dear to you, will prove in vain only.

I am, &c.

To King Aggery,
Cape Coast.

(signed) *H. T. Ussher*, Colonial Secretary.

(No. 7.)

Cape Coast, 10 December 1866.

Gentlemen—Chiefs, and other Inhabitants of Cape Coast,

I have invited you to meet me here to-day for a few moments, for the purpose of explaining to you what has taken place within the last few days regarding the conduct of King Aggery, which led to his immediate removal to Sierra Leone, as a prisoner, a step I much regretted to have to adopt, and which I should prefer avoiding if possible, but finding it was not possible to do otherwise for the supremacy of Her Majesty's Government, and the dignity of my own position as the Queen's representative on the Gold Coast, I caused him to be at once arrested and forwarded to head-quarters of the West African Government.

From the moment King Aggery's commissioners arrived from England, in September 1865, with the news of their being trained for self-government, I experienced from King Aggery much insubordinate and abusive language, indicating throughout his whole conduct the mad desire to govern, not only Cape Coast itself, but the whole Gold Coast, having lately adopted the title of King of Cape Coast and its dependencies. I patiently put up with all until the morning of the 8th, when action had been called for as on the 7th. I received a production from him full of rebellious and insubordinate language, threatening me with the repetition of the late Jamaica scenes; and knowing I was indebted for these seditious and dangerous threats to the resolutions of a large meeting of his followers, held

at his own residence on the afternoon of the 5th instant, where no fewer than 2,500 persons were assembled, I considered that there was not one moment to be lost in showing His Majesty and his followers the folly of their attempts at overthrowing the Queen's Government on the Gold Coast.

It is quite true that the West African Committee of 1865, recommended Her Majesty's Government to train the natives of the coast in such manner as would fit them for self-government hereafter, whilst it is as equally true that Her Majesty's Government were to be the judges of their fitness for self-government, and that such an idea as having the government of the coast wrested out of their hands by a few designing, needy, half-educated natives (who have nothing to lose and everything to gain by rebellion and confusion, at the expense of their more industrious neighbours) amounted to madness, as they may rest assured that the British Government will never relinquish the government of this coast into such incapable and dangerous hands; and as it is my firm intention to put down the insubordinate spirit evinced by Mr. Agerry and his followers, I have, in consequence, declared and proclaimed him as no longer King of Cape Coast, closing the native town courts for ever, there being British courts of law open daily for the administration of justice on the spot.

The Honourable the Colonial Secretary will now read to you the contents of Mr. Aggery's letter of the 6th, there being persons present at this meeting who know something about it already, after which Mr. Thompson will interpret its meaning word for word to the natives, whilst it will be my next act to forward copies of my proclamation dethroning King Aggery, to the kings and chiefs of the whole Protectorate, who are, without a single exception, most loyal to my Government.

I call upon you, therefore, to keep the peace and be friendly towards each other, as natives and relations, and that you will quietly and respectfully state your grievances freely to me whenever you may have occasion to do so, when redress will be given if it be possible.

(No. 8.)

(No. 197.)

Head Quarters, Brigade Office, Cape Coast,
8 December 1866.

1. His Excellency the Colonel commanding the troops takes the earliest opportunity of publicly thanking Lieutenant Sayce, 2nd West India Regiment, police inspector, and Lieutenant Hamilton, fort adjutant of same corps, for the zeal, judgement and tact displayed by them this morning, in conjunction with the Honourable H. T. Ussher, Colonial Secretary, and J. P., while performing the delicate task of apprehending and putting on board the mail steamer "Calabar," for Sierra Leone, as prisoner, the rebellious King Aggery, of Cape Coast, with the aid of a few police only, and without the presence of a single soldier, a measure adopted by the officer administering the Government for the preservation of the peace, this insubordinate and rebellious chief having, in writing, openly threatened the enactment of the late unfortunate Jamaica scenes.

And as the deportation of this chief to Sierra Leone has been attended with signal success, causing peace and order to prevail, as well as serving as an example to others who have been only too glad to follow in his foolish but dangerous track, it is hoped that the steps adopted in this emergency will prove a lesson to other kings and chiefs on the Gold Coast showing an insubordinate spirit.

It is also due to Major Mends commanding the wing, 2nd West India Regiment, for the very cheerful and cordial support given to the Government in having his officers and men prepared to turn out in aid of the civil power, for which his Excellency thanks him most sincerely.

2. Lieutenant Hamilton, fort adjutant, will embark for Sierra Leone immediately, on board the mail steamer "Calabar," in charge of King Aggery, a political prisoner, who will, on arrival there, be handed over to his Excellency the Governor in Chief.

King Aggery and servant will be provided with passages to Sierra Leone at the expense of this Colony, the former as chief-cabin passenger, and latter as deck passenger; Lieutenant Hamilton will also see that King Aggery is supplied with wines and such other requirements as he may wish for while on his passage.

3. With the permission of Major Mends, commanding the wing 2nd West India regiment, Lieutenant Sayce will perform the duties of fort adjutant for Lieutenant Hamilton while absent on special duty at Sierra Leone.

By order,
C. C. Sayce, Lieutenant, Acting Fort Adjutant.

(No. 9.)

Government House, Cape Coast,
7 December 1866.

Sir,

I HAVE to request you will attend at this house at 10 o'clock this day on urgent and special business which admits of no delay.

I am, &c.
(signed) *H. T. Ussher*, Colonial Secretary.

To King Aggery, Cape Coast.

(No. 10.)

Freetown, Sierra Leone,
12 January 1867.

My Lord,

GOVERNOR BLACKALL having kindly offered to forward to your Lordship any explanation I may wish to give in reference to my letter to Colonel Conran of the 6th ultimo, which led to my apprehension as prisoner, and conveyance to this place in the mail packet "Calabar," under the charge of Lieutenant Hamilton, of the 2nd West India Regiment, I beg to inform your Lordship that whilst admitting th protection of England over the settlements on the Gold Coast, at the same time, as the king of Cape Coast, I should be allowed to try and furnish my own subjects, who are guilty of misdemeanor, or like offences, a course which all my predecessors have pursued except in grievous offences which required the interference of the British authorities. But I regret to inform your Lordship that Colonel Conran is always setting my authority at defiance, even in very small matters, and degrading me in the eyes of my subjects. Hence he lately sent his officers to take copies of the records of my court, without my knowledge or consent, and liberated from my prison individuals who had been adjudicated to pay debts they owed at Cape Coast, and who, while they remained in prison, were supported by the creditors. This, and other circumstances, led me to write the threatening letter in question, but which was done in retaliation for similar threats I received indirectly from Colonel Conran, through his officers, who were heard to say that the Administrator's object was to provoke me to arms, so that he might have an opportunity of destroying the town.

I, however, beg to assure your Lordship that I never entertained any hostile intentions against the British authorities, and, as a proof of my assertion, no resistance was made by my subjects when Colonel Conran made me a prisoner by a few soldiers and policemen and sent me to this Colony.

His Excellency Governor Blackall has allowed me to remain a prisoner on parole until Her Majesty's Government have decided on the merits of my case, and I have been placed on an allowance of 5 *s.* per day for maintenance, subject to the approval of your Lordship. This allowance I find is insufficient for my wants, and I respectfully beg your Lordship will be pleased to grant me income adequate to my expenditure during my detention here.

I have, &c.
(signed) *Aggery*,
King of Cape Coast.

The Right Honourable the Earl of Carnarvon,
&c. &c. &c.

— No. 25. —

(No. 4.)

COPY of a DESPATCH from Governor *Blackall* to the Right Honourable the Earl of *Carnarvon*.

No. 25.
Governor Blackall to Right Hon. the Earl of Carnarvon.
11 Feb. 1867.

Government House, Sierra Leone,
11 February 1867.
(Received, 4 March 1867.)

My Lord,

1. I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, No. 66,* of 23rd January last, covering copy of a petition forwarded to your Lordship, signed by certain chiefs at the Gold Coast, and which was to have been signed by Aggery, called King of Cape Coast, but that he was sent a prisoner here by Colonel Conran, with Enclosures in the said petition, and desiring me to report to your Lordship upon these documents.

* Page 94.

2. I have carefully perused the petition forwarded in Aggery's name, but which had not been previously submitted either to Colonel Conran or myself; and I find it to be merely a reiteration of accusations which were brought against Colonel Conran in the former petition addressed to me, and a copy of which forms one of the Enclosures, but without any proof being offered of the great disaffection and dangerous feeling said to exist in the Protectorate; on the other hand, I had the honour to forward to your Lordship by last mail a Despatch from Colonel Conran, reporting the very satisfactory state of the whole Protectorate, and more especially the improved feeling in Cape Coast since Aggery's removal.

3. The petition commences by setting out the manner in which Aggery was installed as King, and the honours paid him by order of Mr. Pine, by British officers and soldiers; on the policy of this proceeding I do not feel called upon to offer an opinion, but your Lordship will perceive that these honours, coupled with an omission to administer the usual oath of allegiance, are claimed as a reason for his considering himself quite independent of the Queen's representative at Cape Coast; and this led to a reference to your Lordship's predecessor in a Despatch from me, No. 1,* of 19th April 1866, who decided by a Despatch, No. 24† of 23rd May, copy enclosed, that such independence could not be permitted, and this decision was duly communicated to Aggery.

* Page 53.
† Page 93.

4. The petition goes on to say that Aggery had established native courts which were much prized by the people; this I believe to be an entire misrepresentation; they may have been prized by Aggery and his immediate friends as an easy way of extorting money from their supposed debtors, but I do not believe that any defendant preferred these courts to the British. I shall have to refer subsequently to the punishments inflicted by these courts.

5. The next accusation in the petition is, that Aggery having complained to me of the conduct of Colonel Conran, I gave no reply to his complaint, but referred him to Colonel Conran. This is quite untrue, as Aggery himself acknowledged here in the presence of those whom I had assembled, when I granted him his parole. It will doubtless be within your Lordship's recollection, that I forwarded a copy of this petition to your Lordship in my Despatch, No. 43,‡ of 17th October 1866, with my reply, which I directed Colonel Conran to convey to Aggery, and which I have every reason to believe was done. Your Lordship in a Despatch, No. 57,‖ of 16th November 1866, was pleased to approve of the view I had taken, and the instructions conveyed to Colonel Conran in my Despatch of 6th October.§

‡ Page 57.
‖ Page 93.
§ Page 64.

6. The petition praises the Christian Government of England; sets out Aggery's own desire to spread Christianity; accuses Colonel Conran of frustrating his intentions in this respect, and attributes this opposition of Colonel Conran to most disgraceful motives, arising out of matters which are said to have occurred more than twelve months past, and of which I have no cognizance; but it appears strange, if these serious charges be founded in truth, that they have not been previously brought to the notice of the English authorities, and that Colonel Conran should have continued, as he did long after that period, to be the object of praise by the very parties who are now making these charges against him.

7. The petition then sets out, "that on the 3rd day of this month (no date given), Aggery had, amongst other prisoners, four men imprisoned for "crim. con.," debt, and other causes; that without notice, Colonel Conran ordered his stipendiary magistrate to issue a warrant to release them, which was done; that no act of cruelty was alleged to warrant this course by Colonel Conran, and that it tended to weaken the position of the native kings, and make it impossible that the wishes of Great Britain, with regard to governing themselves, should ever be carried out: that Aggery appealed in vain to Colonel Conran to return to him the released prisoners; and that consequently his (Aggery's) position and dignity were seriously damaged." Now the facts are as follows: In April 1866, an information was laid before Colonel Conran that several persons were confined "in log" under Aggery's house; this punishment of the log is one of the most revolting description; the unfortunate sufferers are almost unable to move, live in their own filth, and are only fed by the kindness of friends, there being no law for their maintenance. This punishment has therefore, as I understand, been interdicted throughout the Protectorate. Colonel Conran directed his magistrate to ascertain whether it were true that men were thus punished, and if so, to release them. The magistrate found four men in log, who were released, and Aggery was brought before the court for cruelty; a fine was not imposed, but he was admonished to abstain from such cruelties.

See Despatch No. 1, Gold Coast. 19 April 1866, and Enclosures. Page 53.

8. Now I beg your Lordship's serious attention to the crimes which, by Aggery's own admission, caused this Christian King, who had just lauded his own desire to spread Christianity, and improve his brother kings, to inflict this savage punishment; crim. con., debt, and other causes; crim. con. and debt not

not being, so far as I know, punishable criminally in any Christian country; but doubtless the log, assisted by floggings, has been found effectual in obtaining money from the unfortunate prisoners, whether the debt was fairly due or not; and I consider that Colonel Conran deserves credit for not permitting such atrocities where British rule is supposed to prevail.

9. The petition then states, that heavy fines have constantly been inflicted on the Kings and Chiefs of the Protectorate, without any investigation; but no single instance is quoted. I believe it to be fact, that only one Chief, Ortabil of Gomwah, had been fined, the details of which were laid before your Lordship's predecessor, and approved in a Despatch, No. 22,* of 22nd May. Since then Colonel Conran has fined the King of Anamaboe, as reported in my Despatch, No. 61,† of 24th December.

* Page 92.

† Page 65.

10. Colonel Conran is then accused of using improper language—of having, by his harsh and oppressive conduct, aided by his stipendiary magistrate, caused great disaffection, which Aggery fears he will not have power to control. These are very general accusations, unsupported by any detail of any specific act. I do not believe in the disaffection, nor do I believe in Aggery's power to raise or control (of himself) such disaffection. I had previously inquired regarding the language which Aggery accused Colonel Conran of using, and I do not believe it is true, nor do I think Aggery capable of comprehending English sufficiently well to give an opinion.

11. The petition then accuses Colonel Conran of having propagated and published false reports of having concluded a peace with Ashantee; that the King of Ashantee has repudiated Colonel Conran's proclamation, and the power of England is lowered thereby; this is all simple nonsense, got up for mischievous purposes by those who asserted a short time since, that 3,000 Ashantees were on their way to the Volta to attack Accra. I do not believe that either now, or at any other time, the Ashantee Government wished to quarrel with the British Government; the offence was on the part of the Fantees, and were it not for the presence of British authority at Cape Coast, neither Aggery, nor any other Fantee Chief would long retain his position.

12. The petition concludes with a remonstrance against "military rule," and requests the removal of Colonel Conran. No act of oppression on the part of the military is quoted in support of the complaint against their rule; whilst I believe Colonel Conran has honestly and conscientiously performed his duties as Lieutenant Governor and Administrator.

13. The enclosure to the petition, viz., Mr. Ussher's letter to Aggery, of 6th December, appears to me to be a very proper intimation to Aggery, that cruel punishments cannot be permitted, and I have already commented on the petition, forwarded to me by Aggery, in my Despatch, No. 43,‡ of 17th October.

‡ Page 57.

I have, &c.
(signed) *Sam. W. Blackall*,
Governor in Chief.

— No. 26. —

(No. 5.)

No. 26.
Governor Blackall to the Right Hon. Earl Carnarvon.
13 Feb. 1867.

COPY of a DESPATCH from Governor *Blackall* to the Right Honourable the Earl of *Carnarvon*.

Government House, Sierra Leone,
13 February 1867.
(Received 4th March 1867.)

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, No. 67,* of 23rd January, covering copy of a letter from the President and Secretaries of the Committee of the "British and Foreign Freedmen's Aid Society," relative to the affairs of the Gold Coast, and, more especially, to the arrest and deportation of one Aggery, commonly called King of Cape Coast.

* Page 96.

2. With regard to Aggery and the fears expressed, lest the application might be too late to prevent some act of violence against his person, I trust my

my Despatches of 24th December, No. 62,* and 15th January, No. 2,† will have enabled your Lordship to relieve the anxiety of the applicants, and also to satisfy your Lordship that no unnecessary harshness has been resorted to.

* Page 70.
† Page 77.

3. The report which reached the Committee of Aggery's having been put in irons on his arrest at Cape Coast, is unfounded. Aggery was placed in Cape Coast Castle, in an officer's quarter. He was sent here as a first-class passenger in the mail packet; and, until I arrived and placed him on parole, he occupied apartments in the Colonial Secretary's Office; no force was used, nor was any required; and I believe Colonel Conran's interference at all, was not from any wish to injure Aggery, but to prove to him and those who were misleading him, that the Queen's Representative possessed the chief authority at Cape Coast.

4. With regard to the general allegation of misrule, of which, however, as your Lordship observes, no instances are given on which to found inquiry, I may refer your Lordship to the replies which I have made to the more detailed accusations contained in a petition signed by some Chiefs and Headmen, in my Despatch, No. 4,‡ by this opportunity.

‡ Page 83.

5. The Committee regret that they can have no kind of confidence in the Supreme Council, as recently constituted; and they therefore felt that the life of the African King might be in jeopardy. I have no idea to what tribunal this may refer; but I indignantly repudiate the insinuation that under the Government now established on the West Coast, any innocent man's life is in any jeopardy from official interference.

6. The Committee quote from a letter of a correspondent in "whose integrity and veracity they have the fullest confidence;" and this correspondent indulges in the harshest terms of condemnation of Colonel Conran's conduct, stating that the very beasts in England are better cared for than the people of Cape Coast, by the British authorities; and this is laid before the Secretary of State for the Colonies to whom Colonel Conran is responsible. I think, in justice to Colonel Conran, the name of this gentleman of integrity and veracity should have been given.

7. My experience of the English and Native Governments on the West Coast of Africa, leads me to believe such strictures would be more properly applied to native than European rule; and the cases reported of the imprisonment in log, with intermittent floggings, as proved to have been practised by Aggery and the King of Anamaboe, bear out this conclusion. I fear the British and Foreign Freedmen's Aid Society, in their undoubtedly honest wish to assist their African brethren, pass over with indifference the cruelties which they practise on one another; and are too apt to believe that their own white brethren when enforcing necessary laws are actuated by feelings of hatred or revenge.

8. I think I may say that no person dislikes more than I do, or has done more to extinguish the prejudice regarding colour; but the facility which is given by certain societies and journalists, who assume to themselves a speciality of affection for the African race, of publishing garbled reports of supposed cruelties inflicted upon blacks, merely because they are blacks, is doing more to keep up ill-feeling, and to retard civilization, than any other means I am aware of.

I am, &c.
(signed) *Sam. W. Blackall,*
Governor in Chief.

— No. 27.—

(No. 17.)

No. 27.
Governor Blackall to Right Hon. the Earl of Carnarvon.
19 March 1867.

COPY of DESPATCH from Governor *Blackall* to the Right Honourable the Earl of *Carnarvon.*

Government House, Sierra Leone,
19 March 1867.

My Lord, (Received 20 April 1867.)

1. I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, No. 78,§ of 23rd February, conveying your Lordship's decision in the case of John Aggery, deposed as King of the Gold Coast by Colonel Conran.

§ Page 101.

2. On

2. On Saturday last, the 16th instant, I assembled the same persons who were present when I granted Aggery his parole, excepting Captain Lowther, R.N.; Mr. Smith and Mr. Ray Taylor acting as Aggery's friends and advisers.

3. I read over to Aggery the letter which I addressed to him in accordance with your Lordship's instructions (copy enclosed); and I also handed him an agreement for his signature (copy enclosed). 1 & 2.

4. Both these documents had to be translated to him into Fantee by Mr. Smith.

5. I then told Aggery that as he did not appear fully to understand these documents, I would give him till Monday at 3 o'clock, and begged him in the meantime to take advice from, and be guided by, Mr. Smith and Mr. Taylor, whom he had selected as his friends.

6. Early on Monday, I was waited on by Mr. Smith and Mr. Taylor, who informed me, that in consequence of Aggery's conduct they begged to withdraw from any further responsibility; and they have given their reasons in a letter, a copy of which I enclose. 3.

7. It appears that Aggery was persuaded by Mr. Belgrave, a West Indian, and a newspaper editor, to hand him the documents I had placed in Aggery's hands; and had published them without the consent of Messrs. Smith and Taylor, and before Aggery had made any reply.

8. When Aggery called at 3 o'clock, I declined seeing him as his friends were not present, and required a written reply to my letter to him, and his consent to, or refusal of, the terms which your Lordship had desired me to offer him.

9. This morning I received his reply, of which, with my answer, I enclose copies. 4 & 5.

10. I think this will prove how dangerous a tool Aggery may be made, from his ignorance and readiness to listen to bad advice. He could not have been in better hands than Mr. Smith's and Mr. Taylor's, both originally selected by himself, and they both expressed themselves most sensibly and feelingly on the unfortunate course which Aggery had been induced to pursue.

11. I have, from the 20th, ceased to make any allowance to Aggery; and I have desired the Police Magistrate to take measures to prevent his return to Cape Coast, but I have not in any other way interfered with his liberty.

I have, &c.
(signed) *Sam. W. Blackall,*
Governor in Chief.

Enclosure 1, in No. 27.

Government House, Sierra Leone, 16 March 1867. Encl. 1, in No. 27.

Sir,

I HAVE the honour to inform you that I have received a despatch from Lord Carnarvon, Secretary of State for the Colonies, conveying his Lordship's decision as to your deposition from the office of King of Cape Coast by Colonel Conran, the Administrator of that settlement, for your continued opposition to the authority of Her Majesty's representative, and for the very improper letters which you addressed to the Administrator.

His Lordship regrets that the injudicious course taken by you, under bad advice, has brought affairs to the present crisis; but, after a patient review of all the occurrences, his Lordship instructs me that it is clear to him that it would be inconsistent with the proper precautions to be observed at Cape Coast, and with that resistance which it is our duty to oppose to the renewal, under the very walls of our forts, of the cruel punishments and exactions of native chieftains, to allow you to resume your former position. His Lordship desires, however, that you should be treated with all reasonable consideration, and his Lordship will not object to the allotment to you of 100 *l.* per annum for your life, subject to your good behaviour and to your remaining here so long as I may consider it material to the interests of Cape Coast that you should not be permitted to return to that settlement. This arrangement will in no way interfere with your private property.

I am now prepared to receive your further promise, in writing, not to return to Cape Coast without my permission, and on such terms to pay you the allotted pension. You

must understand, however, that your return to Cape Coast without my permission would entail upon you very unpleasant consequences.

I have, &c.

John Aggery, Esq.
&c. &c. &c.

(signed) *Saml. W. Blackall*, Governor.

Enclosure 2, in No. 27.

Government House, Sierra Leone,
16 March 1867.

Encl. 2, in No. 27. HER Majesty's Government having approved of my deposition by the Administrator of the Gold Coast from my right, title, and position of King, and having sanctioned the allotment to me of a pension of 100 *l.* a year for life, in addition to any private means of my own, subject, however, to my good behaviour and the determination of the Governor in Chief as to my return to Cape Coast; I accept these terms, and hereby undertake to reside at Sierra Leone, and not return to Cape Coast except with the permission of the Governor in Chief of the West African Settlements, according to the terms set forth in His Excellency's communication of the 15th instant; that should I return without such permission, or, returning with such permission, not conduct myself in a proper manner, or be of good behaviour in all respects, I shall in every such case forfeit such pension, and render myself liable to the legal consequences of my past conduct.

Enclosure 3, in No. 27.

Sir, Sierra Leone, 19 March 1867.

Encl. 3, in No. 27. WE beg to inform your Excellency that John Aggery, Esq., ex-King of Cape Coast, having treated us with want of confidence in the matter connected with his deportation to this colony, we did not accompany him to the Government House yesterday afternoon, as it had been arranged at the meeting held on the 16th instant; and we furthermore beg to inform you that we have withdrawn from him as his advisers.

We have, &c.

(signed) *Wm. Smith.*
Wm. R. Taylor.

His Excellency Governor Blackall,
&c. &c. &c.

Enclosure 4, in No. 27.

Sir, Sierra Leone, 19 March 1867.

Encl. 4, in No. 27. I HAVE remarked the contents of the documents you delivered me, and must inform you that it would not be becoming in me as a King, to give my consent to the conditions therein contained.

I have also to request that you will, if it is in your power, inform me by what right my sister in England detains me from my people, and to inform you that I shall in future address myself to the Earl of Carnarvon with respect to my relation with the British Government.

I am, &c.

To the Governor in Chief.

(signed) *Aggery*, King of Cape Coast.

Enclosure 5, in No. 27.

Government House, Sierra Leone,
19 March 1867.

Sir,

Encl. 5, in No. 27. I HAVE received your letter of this day's date, refusing to accede to the terms which by the direction of Lord Carnarvon I had offered to you on Saturday last, the 16th instant.

I must decline entering upon any further correspondence with you regarding a matter already decided by Her Majesty's Government, and as you inform me that you intend to correspond for the future directly with Lord Carnarvon, it is, I presume, useless to offer to be the medium of your correspondence.

I have, &c.

John Aggery Esq.,
&c. &c. &c.

(signed) *Saml. W. Blackall*, Governor.

Despatches from the Secretary of State.

— No. 1. —

(No. 235.)

COPY of a DESPATCH from the Right Honourable *Edward Cardwell*, M.P., to the Officer Administering the Government of the *Gold Coast*.

No. 1.
The Right Hon. E. Cardwell, M.P., to the Officer Administering the Government of the Gold Coast.
23 May 1865.
* Page 1.

Sir, Downing-street, 23 May 1865.

I HAVE received a Despatch from Governor Pine, No. 38,* of the 7th April, enclosing a correspondence relative to the conduct of the King of Cape Coast; and I transmit, for your information, a copy of a further Despatch † which he has addressed to me on the same subject since his return to this country.

22 May 1865.
† Page 14.

The questions which are involved in this correspondence appear to me to require to be handled with great discretion, and I am not willing to fetter you with minute instructions in connection with them; but I have to request that you will report to me any steps which you may deem it necessary to take in the matter.

I have, &c.
(signed) *Edward Cardwell.*

— No. 2. —

(No. 238.)

COPY of a DESPATCH from the Right Honourable *Edward Cardwell*, M.P., to Lieutenant Governor *Jones*.

No. 2.
The Right Hon. E. Cardwell, M.P., to Lieutenant Governor Jones.
19 June 1865.
* Page 16.

Sir, Downing-street, 19 June 1865.

I HAVE received your Despatch, No. 46,* of the 8th ultimo, forwarding a Report of the Commandant of Anamaboe, and other Enclosures, relative to the proceedings of the King of Cape Coast.

I have, &c.
(signed) *Edward Cardwell.*

— No. 3. —

(No. 258.)

COPY of a DESPATCH from the Right Honourable *Edward Cardwell*, M.P., to Lieutenant Governor *Conran*.

No. 3.
The Right Hon. E. Cardwell, M.P., to Lieutenant Governor Conran.
22 Sept. 1865.
* Page 17.

Sir, Downing-street, 22 September 1865.

I HAVE received a Despatch from Major Mockler, No. 77,* of the 3rd ultimo, relative to the late conduct of King Aggery, of Cape Coast, in which he remarks, that as the matter has been left in so complicated a state, he had determined to take no decisive steps in the matter until the return of the troops which had been temporarily detached to Lagos.

I fear that the local government has involved itself in some embarrassment by the mode in which it dealt with the fine which the king was required to pay. The subject does not seem to me to be one out of which any quarrel with him need have arisen, or in which the employment of force is likely to be justifiable; and I rely on your discretion to bring it to the best conclusion of which the circumstances may admit.

I have, &c.
(signed) *Edward Cardwell.*

— No. 4. —

(No. 271.)

No. 4.
The Right Hon. E. Cardwell, M.P., to Lieutenant Governor Conran.
19 Oct. 1865.
* Page 18.

COPY of a DESPATCH from the Right Honourable *Edward Cardwell*, M.P., to Lieutenant Governor *Conran*.

Sir, Downing-street, 19 October 1865.

I HAVE received your Despatch, No. 91,* of the 31st August, relative to the repayment by the King of Cape Coast of a sum of 19 *l.* 16 *s.* which was paid out of the Colonial Treasury to the Plaintiff, in the case of Wood *v.* Martin, and which the king guaranteed to refund.

† Page 89.

You will have received my Despatch, No. 258,† of the 22nd ult., stating my views on this subject, and I will, therefore, only observe that the friendly terms which exist between the king and yourself may perhaps enable you to bring the matter to a satisfactory conclusion.

I have, &c.
(signed) *Edward Cardwell.*

— No. 5. —

(No. 284.)

No. 5.
The Right Hon. E. Cardwell, M.P., to Lieutenant Governor Conran.
23 November 1865.
* Page 18.

COPY of a DESPATCH from the Right Honourable *Edward Cardwell*, M.P., to Lieutenant Governor *Conran*.

Sir, Downing-street, 23 November 1865.

I HAVE to acknowledge your Despatch, No. 114,* of 7th October, enclosing the copy of a notice which you have issued, in which you define the limits of Her Majesty's possessions on the Gold Coast. I am unable to approve the step which you have taken, in declaring the territory within five miles of eight separate British forts to be British territory, and I have to instruct you to recall the notice in which this is done. Whatever influence you may be able to exert in discouraging or repressing barbarous customs, leading to the loss of life, will be very proper, and I shall be happy to approve your exercise of it; but the extension of British territory is a different matter, and cannot receive my sanction.

I have, &c.
(signed) *Edward Cardwell.*

— No. 6. —

(No. 290.)

No. 6.
The Right Hon. E. Cardwell, M.P., to Lieutenant Governor Conran.
22 December 1865.
* Page 46.

COPY of a DESPATCH from the Right Honourable *Edward Cardwell*, M.P., to Lieutenant Governor *Conran*.

Sir, Downing-street, 22 December 1865.

I HAVE received your Despatch, No. 135,* of the 2nd ult., forwarding a copy of a notice which you had issued to prevent the destruction of works of improvements which you are carrying into effect in the towns of Cape Coast, Anamaboe and Accra. I approve of the efforts which you are making for keeping these towns in decent order; but at the same time draw your attention to the caution which I have given you in a former Despatch, and wish you to avoid introducing any expressions which bear the appearance of extending jurisdiction over territory at the Gold Coast.

I have, &c.
(signed) *Edward Cardwell.*

— No. 7. —

(No. 291.)

No. 7.
The Right Hon. E. Cardwell, M.P., to Lieutenant Governor Conran.
22 December 1865.

COPY of a DESPATCH from the Right Honourable *Edward Cardwell*, M.P., to Lieutenant Governor *Conran*.

Sir, Downing-street, 22 December 1865.

I HAVE received your Despatch, No. 136,* of the 6th ult., reporting the death of the King of Anamaboe, and the conduct of King Aggery of Cape Coast on that occasion; and I have to express to you my approval of your having instructed the civil commandants at the out-stations on the Coast to caution the chiefs against paying any attention to King Aggery's messages.

* Page 48.

I have, &c.
(signed) *Edward Cardwell.*

— No. 8. —

(No. 294.)

No. 8.
The Right Hon. E. Cardwell, M.P., to Lieutenant Governor Conran.
23 December 1865.

COPY of a DESPATCH from the Right Honourable *Edward Cardwell*, M.P., to Lieutenant Governor *Conran*.

Sir, Downing-street, 23 December 1865.

I HAVE the honour to acknowledge your Despatch, No. 129,* of the 25th of October, accompanied by a letter addressed to me by the King of Cape Coast.

* Page 44.

You will have the goodness to state to King Aggery, that I have instructed you to acquaint him that I have received his letter, but that I find him to be misinformed as to the facts of the case.

I have, &c.
(signed) *Edward Cardwell.*

— No. 9. —

(No. 295.)

No. 9.
The Right Hon. E. Cardwell, M.P., to Lieutenant Governor Conran.
23 December 1865.

COPY of a DESPATCH from the Right Honourable *Edward Cardwell*, M.P., to Lieutenant Governor *Conran*.

Sir, Downing-street, 23 December 1865.

I HAVE received your Despatch, No. 132,* of the 26th October, forwarding a copy of the reply of the chiefs of Cape Coast, expressive of their understanding as to the Queen's territorial jurisdiction.

* Page 45.

In my Despatch, No. 284,† of the 23rd ult., I informed you that I could not sanction any extension of British territory at the Gold Coast. You must therefore avoid taking any new step which may have that appearance.

† Page 90.

I have, &c.
(signed) *Edward Cardwell.*

— No. 10. —

(No. 300.)

No. 10.
The Right Hon. E. Cardwell, M.P., to Lieutenant Governor Conran.
17 January 1866.

COPY of a DESPATCH from the Right Honourable *Edward Cardwell*, M.P., to Lieutenant Governor *Conran*.

Sir, Downing-street, 17 January 1866.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 147,* of the 11th ult. I am glad to learn that the sum of 19*l.* 16*s.*, which was paid out of the Colonial Treasury to the plaintiff, in the case of Wood *v.* Martin, has been refunded by the King of Cape Coast.

* Page 47.

I have, &c.
(signed) *Edward Cardwell.*

— No. 11. —

No. 11.
The Right Hon. E. Cardwell, M.P., to Lieutenant Governor Conran.
16 February 1866.
* Page 20.

(No. 315.)

COPY of a DESPATCH from the Right Honourable *Edward Cardwell*, M.P., to Lieutenant Governor *Conran*.

Sir, Downing-street, 16 February 1866.

IN answer to your Despatch, No. 123,* of the 23rd of October last, I have to express my opinion that, under the circumstances of the case, you acted properly in commuting the sentence of death passed on private King, of the 4th West India Regiment, who had been convicted of the murder of the native on the occasion of the riot which took place in Cape Coast Town in September last year.

You will have the goodness to inform me what steps you have taken to guard against the recurrence of a similar riot.

I have, &c.
(signed) *Edward Cardwell.*

— No. 12. —

No. 12.
The Right Hon. E. Cardwell, M.P., to Governor Blackall.
21 March 1866.
* Page 50.

(No. 4.)

COPY of a DESPATCH from the Right Honourable *Edward Cardwell*, M.P., to Governor *Blackall*.

Sir, Downing-street, 21 March 1866.

I HAVE received Colonel Conran's Despatch, No. 25,* of the 5th ult., reporting the steps which he had taken on receiving application from the Governor of Elmina for assistance, on an alleged threat of invasion by one of the chiefs in the vicinity of Elmina, and within the British protectorate; and I have to request that you will signify to Colonel Conran my approval of his proceedings. His remarks on the question of an exchange of territory with the Dutch will be a subject for future consideration.

I have, &c.
(signed) *Edward Cardwell.*

— No. 13. —

No. 13.
The Right Hon. E. Cardwell, M.P., to Governor Blackall.
23 March 1866.
* Page 48.

(No. 8.)

COPY of a DESPATCH from the Right Honourable *Edward Cardwell*, M.P., to Governor *Blackall*.

Sir, Downing-street, 23 March 1866.

I HAVE received Colonel Conran's Despatch, No. 20,* of the 27th January, reporting that two of King Aggery's "companies," numbering about 2,000 men, had suddenly taken the field at Cape Coast, fully armed and organised, to fight against each other for some trifling offence offered by one company to the other, and stating the steps which he had taken to prevent their coming into collision. I have to request that you will convey to Colonel Conran an expression of my satisfaction in learning that, by acting with great promptitude and skill, he had succeeded in averting the threatened calamity, and that the Kings Aggery and Attah, of Cape Coast, and their officers, had likewise exerted themselves for the suppression of the disturbance.

I have, &c.
(signed) *Edward Cardwell.*

— No. 14. —

No. 14.
The Right Hon. E. Cardwell, M.P., to Governor Blackall.
22 May 1866.
* Page 51.

(No. 22.)

COPY of a DESPATCH from the Right Honourable *Edward Cardwell*, M.P., to Governor *Blackall*.

Sir, Downing-street, 22 May 1866.

I HAVE the honour to acquaint you that I have received a Despatch from Lieutenant Colonel Conran, No. 54,* of the 7th of April, reporting the steps which he

he had taken for the correction of the chief called King Ortabil, of Gomwah, who was actuated to insubordinate behaviour by John Aggery, the King of Cape Coast.

You will have the goodness to inform Lieutenant Colonel Conran that I entirely approve of his proceedings on this occasion, which appear to have been prompt and judicious, and to have been attended with complete success.

I have, &c.
(signed) *Edward Cardwell.*

— No. 15. —

(No. 24.)

No. 15.
The Right Hon. E. Cardwell, M.P., to Governor Blackall.
23 May 1866.
* Page 53.

COPY of a DESPATCH from the Right Honourable *Edward Cardwell*, M.P., to Governor *Blackall.*

Sir, Downing-street, 23 May 1866.

I HAVE received your Despatch, No. 1,* Gold Coast, of the 19th of April, accompanied by one from Colonel Conran, forwarding a very unsuitable letter addressed to him by John Aggery, the King of Cape Coast Town, and giving an unfavourable account of Aggery's proceedings.

I do not apprehend that Colonel Conran has exceeded the powers which have heretofore been exercised by the Governor of the Gold Coast in repressing the abuses committed by native chiefs. It appears that the result of the recent Parliamentary inquiry has been misrepresented by Aggery and his agents, and I should be sorry if the impression thus sought to be created were encouraged by any exhibition of weakness on our part. Aggery's proposal to establish a military force is mischievous, and his claim to revenue inadmissible, and his pretensions should be effectually discountenanced. He may be told that, in return for protection, we expect deference to our authority, and that he will not be permitted to make himself an exception to this rule.

I have, &c.
(signed) *Edward Cardwell.*

— No. 16. —

(No. 52.)

No. 16.
The Right Hon. the Earl of Carnarvon to Governor Blackall.
17 October 1866.
* Page 56.

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor *Blackall.*

Sir, Downing-street, 17 October 1866.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 38,* of the 17th ult., enclosing a copy of one from Colonel Conran, reporting that the annual "custom" of the Gold Coast had passed off quietly.

I have to request that you will express to Colonel Conran my satisfaction at the success which has attended his measures for controlling this "custom."

I have, &c.
signed) *Carnarvon.*

— No. 17. —

(No. 57.)

No. 17.
The Right Hon. the Earl of Carnarvon to Governor Blackall.
16 November 1866.
* Page 57.

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor *Blackall.*

Sir, Downing-street, 16 November 1866.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 43,* of the 17th of October, enclosing a copy of a petition from King Aggery, together with a Despatch from the Administrator of the Gold Coast on the subject.

I approve of the views you conveyed to Colonel Conran in your Despatch of the 6th of October.

I have, &c.
(signed) *Carnarvon.*

— No. 18. —

No. 18.
The Right Hon. the Earl of Carnarvon to Governor Blackall.
23 January 1867.

(No. 66.)

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor *Blackall.*

Sir, Downing-street, 23 January 1867.

I HAVE the honour to transmit to you the enclosed copy of a petition which was about to be signed by the chief called King Aggery when he was arrested, and which is signed by other chiefs at the Gold Coast. I also transmit the enclosures of that petition.

I request that you will furnish me with a report on the contents of these documents.

With regard to King Aggery's arrest and removal, I have addressed you in a separate Despatch.

I have, &c.
(signed) *Carnarvon.*

Enclosure 1, in No. 18.

Encl. 1, in No. 18.

THE humble Petition of *John Aggery,* of *Cape Coast* and its Dependencies, on the *Gold Coast of Western Africa,* to the Right Honourable the Earl of *Carnarvon,* Principal Secretary of State for the Colonies, Downing Street, *London,*

Showeth,

That your petitioner is the legally constituted King of Cape Coast and its dependencies.

That your petitioner on his coronation was honoured by a salute of guns from Her Majesty the Queen of England's fort at Cape Coast, on the 13th day of February, 1865.

That a guard of honour composed of Her Majesty's 4th West India Regiments were ordered out as a guard of honour to your petitioner, and presented arms to him in recognition of his position.

That the full band of Her Majesty's said 4th West India Regiment attended your petitioner's coronation, and played the English national air of "God save the Queen," while the soldiers presented arms to your petitioner.

That after the usual procession your petitioner was most cordially received at Government House, and hearty welcome was given him by his Excellency Governor Pine, who stated publicly that he welcomed your petitioner, in the name of the Queen of England, as the King of Cape Coast.

That at that meeting, or at any subsequent one, your petitioner was never (as usual) requested to take the oath of allegiance to the Queen of England.

That this most important omission confirmed your petitioner's idea, and that of his brother kings, that Her Majesty the Queen of England desired that the principal native kings on the Gold Coast would endeavour to prepare themselves for self-government, so as to relieve the British Government of a task which they seemed so anxious to get rid of.

That your petitioner has been since confirmed in his opinion from the result of the last Parliamentary Committee held in England on the affairs of the settlements on the West Coast of Africa.

That your petitioner, acting under the recommendation of Her Majesty the Queen of England, instituted courts of law, which was greatly appreciated by all his subjects; and without egotism, your petitioner begs to assure your Lordship that the last quarter 175 cases of importance were settled in his court without a single appeal to the English courts.

That your petitioner humbly submits that he could not possibly adduce greater proof than this, that in the majority of cases the natives of the Gold Coast prefer their own courts for the adjustment of their affairs than any other.

That your petitioner has great cause to complain against the conduct of Colonel Conran, the present Administrator of the Gold Coast, and petitioned the Governor General at Sierra Leone against the continued ill-treatment myself and people have been subject to from him. Copy of said petition is hereby enclosed for your Lordship's perusal and consideration.

That your petitioner has not received the slightest satisfaction from the Governor General at Sierra Leone, who, in answer to your petitioner's prayer, simply referred him to the party against whom he had complained.

That your petitioner cannot believe that a good Christian Government like that of Great Britain would sanction such proceedings as has taken place lately on the West Coast of Africa.

That your petitioner, himself a Christian and member of Christ's Church, is desirous by all the means in his power to elevate his country, and by his example endeavour, by God's grace, to convince his brother kings of that light which has been so great a blessing to your petitioner.

That every effort made by your petitioner to carry out his intention has been frustrated by Colonel Conran, the present Administrator.

That

That your petitioner is convinced that the ill-feelings exercised by Colonel Conran against him, have their origin in the fact that on the 4th September 1865 Colonel Conran's soldiers, headed by British officers, the Colonel himself at their head, ordered many of my poor subjects to be put to death, amongst them one Crensill, who declared before William Cleaver, Esq., Justice of the Peace, and many witnesses, a few moments before he died, that Colonel Conran had personally ordered him to be killed.

That the dying declaration of the above Crensill was duly filed in Her Majesty the Queen of England's Court.

That since then your petitioner has been informed that the declaration of the dying man was given up by the late acting Chief Justice Barry to Colonel Conran, in whose possession it is now, unless destroyed by him.

That your petitioner humbly suggests, that if Colonel Conran was the accused, he had no right to have been furnished with the original documents which laid the crime of murder at his door.

That since the death of the unfortunate Crensill, not the slightest investigation has taken place, nor has any justice been done to those poor creatures who have been cruelly deprived of a parent.

That on the same night in which Crensill was murdered, one Saniez was also murdered, and although one of Colonel Conran's soldiers, named King, was tried and convicted, Colonel Conran exercised his prerogative, and commuted his sentence to imprisonment.

That your petitioner maintains that King was either guilty or not guilty, and if, after the jury had convicted him, the Crown thought he was innocent, he ought to have been set free, as there could not possibly be a medium in the charge brought and proved against him.

That on the 18th March of this year, in your petitioner's presence, Colonel Conran, with his own sword, wounded a subject belonging to a brother king who was on his way to Government House at the request of Colonel Conran.

That the above unfortunate man has since died from the wounds inflicted by Colonel Conran, and no satisfaction has been accorded to his unfortunate family.

That on the 3rd day of this month, your petitioner, amongst many other prisoners, had four men imprisoned for crim. con., debt, and other causes.

That without any notice to your petitioner, Colonel Conran ordered his stipendiary magistrate to issue a warrant to release them, which was accordingly done.

That no act of cruelty was alleged or proved against petitioner, to warrant such unjustifiable a course by Colonel Conran.

That such a proceeding as this will tend most materially to weaken the position of all the native kings, and will make it a matter of impossibility hereafter for them ever to expect the wishes of Great Britain will be attained in respect to their being left to govern their own country without the aid of their greatest and most humane benefactress the Queen of England.

That your petitioner furnished Colonel Conran with a statement of the cases against the four prisoners that were released, and prayed that he would reconsider his decision and return them; but he refused to comply with petitioner's request.

That in consequence of this unnecessary and unusual proceeding of Colonel Conran, your petitioner's position and dignity of a King is most seriously damaged, and unless your Lordship at once interfere the whole Protectorate will be in the utmost confusion.

That at present there is scarcely a district in the whole Protectorate that are not in great trouble on account of the tyranny and unseemly conduct of Colonel Conran.

That heavy fines have constantly been inflicted on the King and chiefs of the Protectorate, without any investigation been gone unto to ascertain who are right and who wrong.

That your petitioner and other important Kings in the Protectorate insulted, and the most gross and ungentlemanly language used towards them by Colonel Conran; such language as your petitioner never heard from the lips of any previous rulers here.

That in consequence of Colonel Conran and his military stipendiary magistrate's harsh and oppressive conduct to those who come before them, the whole Protectorate are most dissatisfied, and the utmost confusion prevails.

That unless your Lordship averts the calamity, your petitioner fears he will not be able to quiet any disturbance that may arise in consequence of the unprecedented and despotic rule that Colonel Conran has established in the Gold Coast on a people who are not recognised as British subjects, or are they led to expect even British aid in time of distress.

That in consequence of the false report propagated and published by Colonel Conran in his proclamation, to the effect that he had concluded a peace with the King of Ashantee, will tend greatly to weaken the power of England in these parts, as His Majesty the King of Ashantee has repudiated Colonel Conran's proclamation, and has distinctly told him that he never sought for peace, but it was Colonel Conran who had sent and begged him for peace by the mouth of Mr. George Blankson, on the banks of the River Prah.

That as long as Colonel Conran remains in charge of this government, it is impossible to expect any settlement of this most serious and lamentable war.

That your petitioner is only expressing the feelings of the whole Protectorate in praying humbly that your Lordship will relieve us from military rule, and send us a civil gentleman of experience, and an experienced lawyer, who will be able to advise his Excellency in times of difficulty, and help your petitioner and his brother kings and chiefs in those matters which only a good lawyer can do to the satisfaction of the ignorant.

That in consequence of the whole government being in the hands of the military, it often happens that young officers with no experience are called upon to decide cases in which life and death are concerned.

That your petitioner prays that your Lordship will cause Colonel Conran to be instructed that he is not to trample on your petitioner or his brother kings; but, on the contrary, his duty is to carry out the intentions of the good Queen of England towards my unfortunate and misrepresented country.

That if Colonel Conran would only adhere to the spirit of his Government as regards the Gold Coast, every one would be satisfied, and wait with patience for better days.

That for these reasons your petitioner earnestly and sincerely prays that your Lordship will take his case, which is the case of the whole Protectorate, into grave consideration, and grant some relief to one million and upwards of suffering Africans, who cry aloud for mercy.

And your petitioner, as in duty bound, will ever pray.

Before the King sign this petition, a dozen of policemen, headed by three officers, with Mr. Ussher, entered the King's house, seized him, and sent off the mail packet; therefore the chiefs and headmen of this town signed this for the King.

Quamin × *Magan.*	*Quow* × *Tagweah.*
Cadjoi × *Addoo.*	*Quabina* × *Saicoom.*
Coffer × *Ackinci.*	*Igansoo* ×.
Quow × *Ashen.*	

Enclosure 2, in No. 18.

Government House, Cape Coast,
Sir, 6 December 1866.

Encl. 2, in No. 18. In reply to your letter of the 4th instant, in which you call his Excellency's serious attention to the fact of four prisoners having been released from your prison under a warrant from Major Mends, Acting Chief Magistrate for these settlements, and requesting that they may be restored thereto, I am directed by the officer administering her Majesty's Government to inform you that as those prisoners were not released from your prison without good reason, and upon complaint made to the Executive, your request cannot be complied with.

Yourself, and every other chief residing on the seaboard or coast, must be aware that where her Majesty's courts of law are held open daily for the administration of justice, there can be no other admitted by the Government; whilst for the settlement of land disputes and other minor offences, and petty debts arising between natives, there is no objection to their adjustment in your courts, provided that the sentences awarded are not of a cruel nature, or repugnant to British law, and even these cases must be regarded as subject to an appeal to Her Majesty's Courts. And similar complaints having reached his Excellency from Anamaboe lately, of the King having unjustly and cruelly treated some of his people in prison, which resulted in a fine being inflicted on his Majesty and chiefs, as well as in the release of the prisoner—a fact you must be aware of—his Excellency thinks, from which it is manifest that the release of prisoners from dungeons is not confined to yours alone. And as you allude to your prerogative, it is the more advisable that you should avoid infringing on those of her Majesty's representative, who is alone charged with the administration of the affairs of the Gold Coast lying between Assinee and Quittah, as you may rest assured that your efforts to supersede the law and institutions of Great Britain on the Gold Coast by those so dear to you will prove in vain only.

I have, &c.
King Aggery. (signed) *J. W. Ussher*, Colonial Secretary.

Then follows Copy of the Petition of the King, Chiefs, Headmen, etc., on the Gold Coast, to the Governor General, dated Cape Coast, September 1866, which will be found printed at page 58.

— No. 19. —

(No. 67.)

No. 19. The Right Hon. the Earl of Carnarvon to Governor Blackall. 23 January 1867.

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor *Blackall.*

Sir, Downing-street, 23 January 1867.

I HAVE the honour to transmit to you the enclosed copy of a letter delivered to-day by Lord Alfred Churchill, on behalf of the British and Foreign Freedmen's Aid Society, relative to the affairs of the Gold Coast.

With

With regard to the general imputations of harsh administration, I am not furnished by the Society with any instances on which to found inquiry.

But they further invite my attention to the sudden arrest of the chief called King Aggery, and his removal to Sierra Leone, and they express an apprehension that his life may be in danger. The arrest appears to have taken place at the very moment of the departure of the mail steamer from the Gold Coast; and owing, doubtless, to this cause, and to your absence at the time from Sierra Leone on a visit to one of the other settlements, no official report at all on the subject has yet arrived. I shall await with anxiety the explanations, which I conclude will not fail to be received by the next opportunity, both of the grounds of this measure and of its legality. In the meanwhile, I entirely suspend my judgment on the subject.

As none of the intelligence before me affords indications of Aggery's having committed any offence which would warrant a sentence of death, much less one which would warrant its execution, I cannot suppose that the apprehension of the Society on that point can be well founded. I need not say that I rely upon you, and upon every British authority on the coast, to take care that no man's life is in danger of being unlawfully or unnecessarily sacrificed. Beyond this it is impossible for me to say anything in the existing want of all definite information.

I have &c.
(signed) *Carnarvon.*

Enclosure in No. 19.

To the Right Honourable the Earl *Carnarvon*, Her Majesty's Principal Secretary of State for the Colonies. Encl. in No. 19.

My Lord,

The Committee of the British and Foreign Freedmen's Aid Society have had various communications from the Cape Coast (Africa) brought under their anxious consideration, relative to the arbitrary and oppressive course pursued by the British Authorities in that region. They receive intelligence of this nature with unfeigned concern, because of the serious obstruction to the intellectual and moral improvement occasioned by want of confidence in the equity of British rule, and the irritation and alarm caused by the harsh proceedings of the "Administrator." The committee do not at present enter in the details which have occupied their attention, for they are satisfied that your Lordship must be in possession of the facts from more direct sources of information. There is one case, however, in which the committee feel constrained to refer to your Lordship, as awakening peculiar solicitude in the minds of those who for a long time sought, in the most disinterested and self-denying manner, to ameliorate the condition of the natives—that of the African king recently taken prisoner by Colonel Conran. The committee cannot divest themselves of the apprehension, that without some timely check from your Lordship, some violent course will be taken on the spot against the helpless king that will admit of no subsequent opportunity of redress.

A correspondent, in whose integrity and veracity the committee have the fullest confidence, writes from Cape Coast, December 8th, 1866, to the following effect:—"It is high time that Colonel Conran should be removed from here, and a better administrator appointed, who can respect the native authorities, whereby the British name can be loved and respected here. Colonel Conran's harsh rule of administrating the Government is really sickening. The whole protectorate is losing all faith in the English Government through their representative, and now believe that the recommendations of the Parliamentary Committee for the Gold Coast mean nothing of the kind, or else their authorities here could not act so much against reason and good sense. It seems that the very beasts in England are much more cared for than the people of this country by the British authorities here, for there is a cattle law to protect and see that they are used well. Colonel Conran is making preparation to attack the king for giving him notice that he will complain to the Earl of Carnarvon, Secretary of State, per this mail, respecting his conduct in disturbing the town of Cape Coast so much, making both men, women, and children so unhappy."

The committee learn, that subsequently to the date of the letter just quoted, the African king has been taken prisoner, put in irons, and carried to Sierra Leone. The committee regret to say to your Lordship, that they can have no kind of confidence in the Supreme Council as recently constituted, and therefore feel that the life of the African king may be in jeopardy.

The committee submit this statement to your Lordship, in entire confidence that, with the knowledge of the facts, your Lordship will send by the present mail instructions that will fairly meet the exigencies of the case. The policy of Parliament, as expressed in the Committee on the Jamaica question, is that of fostering in all the colonies equitable self-government. We are satisfied, from the sentiments expressed by your Lordship in con-

currence with this view, that Her Majesty's Government will not fail to protect the life of a native ruler against the arbitrary violence of any representative of British authority.

With sentiments of respect we have ventured, therefore, to submit this communication to your Lordship.

Signed on behalf of the Committee of the British and Foreign Freedmen's Aid Society,

Alfred S. Churchill,
President.

John Waddington, D.D.,
Fred. Tomkins, M.A., D.C.L.,
Secretaries.

— No. 20. —

No. 20.
The Right Hon. the Earl of Carnarvon to Governor Blackall.
14 February 1867.

(No. 71.)

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor *Blackall.*

Sir, Downing-street, 14 February 1867.

WITH reference to the case of Private W. J. King of the 4th West India Regiment, upon whom sentence of death was passed at the Gold Coast in the month of October 1865, but which sentence was afterwards commuted to imprisonment with hard labour for life, I have the honour to transmit to you the copy of a letter and its enclosure which I have received from the War Office.

3 January 1867, and Enclosure.

This has led me to examine the case, and upon a careful consideration of the evidence I have arrived at the following conclusions:—

1. That the soldiers went out in the execution of their duty to suppress the riot. In this I am confirmed by the observations of the acting Chief Justice, when delivering his opinion in favour of commuting the sentence of death.

2. That Saniez was taken out of his room by the order of an officer. This is proved by the evidence of a hostile witness, the wife of Saniez. "The officer said he would see that he (*i.e.* Saniez) was taken out."

3. That Saniez was not struck in the room. This was proved by the wife at the trial, though it is stated that she gave a different account at the inquest. The statement of Saniez to Jehu that "they struck me with a bayonet" is not strictly evidence against King; and though the context would seem to show that he meant he was bayoneted in the room, he does not distinctly say so.

4. That the soldiers while taking Saniez to the Castle (but probably in the absence of the officers; *see* the evidence of W. H. Ward) most unjustifiably ill-treated him.

5. That the prisoner King was one of these soldiers. It is true that he is identified by one witness only, viz., Degraft; but, according to Thompson, this affair happened between nine and ten o'clock, and the witnesses for the defence do not account for the prisoner between a quarter to nine and ten.

6. That the prisoner beat Saniez with a stick, but that he was not the person who stabbed him. It is clear from the evidence of Jehu that the prisoner had only a stick; and this fact of the prisoner being unarmed is corroborated by Leacock, who says that the prisoner had no arms on at ten, and that he saw the prisoner take them off and leave them at the Castle at a quarter to nine.

7. That the beating, however severe, was not the cause of the death.

8. That the soldiers were labouring under great irritation, owing to the report of the death or ill-treatment of one or more of their comrades.

Under these circumstances it appears to me that the justice of the case would have been satisfied by a verdict of manslaughter against King.

In ordinary cases I should be very unwilling to impeach the verdict of a jury who have had the advantage—one of the highest importance in a case of this kind—of seeing the demeanour of the witnesses, and hearing their evidence given in open court. But I feel the less reluctance in differing from the decision of the jury in the present instance, when I consider their behaviour, which was so strongly and justly animadverted upon by the acting Chief Justice and the Colonial

Colonial Secretary, who was present at the trial; and also the grave irregularity committed in letting the jury go home each night—an irregularity which is deeply to be deplored, as it is not difficult to conjecture what influence would be brought to bear upon them in the state of great excitement which then prevailed.

Upon consideration of all the circumstances, I am of opinion that the punishment of King might be materially mitigated, and that an imprisonment of two years from the date of conviction would be a sufficient punishment for the offence committed, and would deter others from committing a like outrage.

As, however, I observe in the copy of the minutes of the Executive Council of the Gold Coast that Lieutenant Governor Conran deprecated any early remission of the sentence, I abstain from conveying to you any final instructions on the subject of mitigating the punishment of the prisoner King, until I hear from you whether you or Lieutenant Governor Conran may have any reasons to mention against the proposed commutation. From the precautions he has taken, it seems unlikely that such a serious riot should occur again, and I should hope that now, after such a lapse of time, no bad feeling would be created by the commutation of King's sentence.

I have, &c.
(signed) *Carnarvon.*

Enclosure in No. 20.

Sir, War Office, 3 January 1867.

Encl. in No. 20.

With reference to your letter of the 22nd February last, and previous correspondence, on the subject of the sentence of death passed upon private King of the 4th West India Regiment, who had been convicted, by the civil power, of the murder of one of the natives of the Gold Coast, in a riot which took place at Cape Coast Castle, on the 4th September 1865,—

I am directed by Secretary Lieutenant-General Peel to transmit to you, with a view to the same being laid before the Earl of Carnarvon, the enclosed petition from W. J. King, praying for a remission of his sentence, on the plea of innocence.

General Peel requests that you will convey to Lord Carnarvon an expression of his opinion that the petition is worthy of earnest consideration; and in returning the proceedings of the trial of this soldier, which formed the enclosures of your letter of the 29th December 1865, General Peel would call his Lordship's attention to the alleged improper demeanour of the jury, and other irregular proceedings during the trial, stated in the evidence given before the Executive Council held on the 16th October 1865, to consider the propriety of carrying the sentence of death into effect.

I have, &c.
(signed) *Edward Lugard.*

T. F. Elliot, Esq.,
&c. &c. &c.

Honoured Sir, Cape Coast Prison, 14 September 1866.

I am now, your humble servant, desire the most humble petition on your part. Sir, with the least pleasure of life I have endeavoured to inform you of my present situation, of the occurrence that took place on the night of the 4th of September 1865, at Cape Coast. On the night of the 4th September 1865, I was at the Colonel's Hill on duty; I am a married man. I had no quarters at the camp, and after performing my duty, at five o'clock in the evening of the same day as usual, I went to my quarters in town; my wife had been lately confined with a child, and as there was no light in the house for the night, I went to a shop to get what I wanted; the shop that I went to was in front of the castle; after I was buying that I wanted, whilst in the shop, I saw a pte. soldier and a lance corporal running towards the shop, and after them a good many more soldiers. I then, not knowing what was the matter, they all assembled at the side of the shop, then another private soldier came running from the castle, and told them that the major of the regiment wanted all of them, so I went along with them to the Castle. When we got to the Castle gate, where the sentry was, I the present prisoner, pte. W. King, saw the major, the Lieutenant or Governor Conran, the acting adjutant, and the governor's secretary; the major then said to us, that every one of us must go for our arms and accoutrements; I the petitioner, pte. Wm. King told him that my arms and accoutrements was in town, at my quarters. The adjutant then told me to double for them, that is to run; I did so. As I doubled heartily for my arms, &c., just as I reached the commissariat, I heard the "alarm" sound, I went and took my rifle, &c., and returned to the Castle again. When I returned to the castle I found all the officers and soldiers of the regiment on the Castle square. The command was given, off in division; the division that I was in was under the command of the acting adjutant; we was then marched out to the lower town, where the riot was commenced; we did not see any soldier, or any of the native, by the time we got there, but those that marched out

with us; we were then marched back to the Castle again; when we got the gate we meet Lieutenant Osborne; he said to the acting adjutant, that he wanted to go to the Colonel's hill, but he was afraid, and that he, the acting adjutant, must send a few men to accompany him to Colonel's hill; the adjutant then said to me and a corporal, and three other privates to fall out and accompanying Lieutenant Osborne to Colonel's hill. I did so. When we got to the hill we returned back to the Castle. When I, the prisoner, with the others, reached the gate, I met the Governor, Major Ivey, and Mr. Cary, with a good many others of the officers of the 4th W. I. Regt., at the gate. The bugle then sound for dinner for the officers to dine. They all went up to dinner. I was then standing under the arch of the mess room, inside the Castle. I heard a soldier by the name of John Edward Jordan came running in with a report that Private Braffith is killed by some of the natives. The second alarm was sounded immediately, and all the troops, with myself, fall in on the castle square. The Governor, with all the officers and Major, came out in the square also. The word of command was given, "fix bayonets!" I, the present prisoner, did so. The Major again gave the word of command, "form fours, right, double out!" I did so, with all the soldiers of the regiment, accompanied by the Governor and all the other officers, and we went to the Low Town. I did not see any native but a gentleman and his wife, by name Mr. and Mrs. Bartlets, over their verandah, looking out. We was marched back to the Castle again. When we return'd to the Castle I saw the Doctor, O'Callaghan, and Steves, treating the wounds of Pte. Braffith, who was reported to have been killed. Myself and Sergeant John Leacock, who was then orderly for the Governor, both of us was living in one house, so I asked him if he was going home. He said, "No," for he had not seen the Governor, and I must wait a while for him. I did so. After he was ready to go with me, we were passing through the gate, and the Acting Adjutant stop us, and asked where we were going. We told him that we were married men. He said to us, "All right," and so we did retire to our quarters at the Government house. When we went in through the intrepter Wood's quarters, I found the old man and his wife at tea. Old Wood asked us where we had been. We told just from the Castle. He asked again if we will take some tea, or a glass of spirits. We told him that we would take something to drink. We took a little spirit. In the meantime we were furnished with the glass. I heard a great noise coming by the govenor's gate. Myself and the sergeant went out to the gate. I found that they were the native King's messengers. Mr. Wood demand from them the guard they brought. They told him that the No. 2 company of soldiers had got in the Low Town, and are breaking open the native premises. Mr. Wood and Sergeant Leacock took them to the Castle, where the Governor was, leaving me to as a sentry to mind the gate. I remained there until they return with the Governor to his house. When the Governor came about eight paces where I was sitting, he ask Segt. Leacock who I am. The Segt. told him it was I that he leave to take charge of the gate until they return. The Governor then come to me and bade me good evening. As he turned to go upstairs he told Sergeant Leacock, "I don't want you any longer; shut the gate, and go home." We did so. When we shut the gate we come out and went home to our quarters, and I did not leave my house not until about nine o'clock a.m. next day morning, which was the 5th Sept. 1865. The reason why I did not come out soon was that in consequence of doing something for my wife, who was not very well previous to that, as my wife had a young child not 3 days days old. I gotted a leave from Lieut. Osborne, so I had no cause to leave my quarters unnecessarily, and about seven o'clk next morn, Mrs. Leacock, the segt. wife, awoke me, and ask'd me if I had heard that one of the native died in the Castle. I told her, "No," and I went to bed again. I had not seen my wife when I got up, but I left my child in the care of Mrs. Leacock, and went to Colonel's hill. I told the Governor that I have left my rifle in the cells yard, and I am going to the castle for it. So myself and a sergt. called Mecomb came together to the castle. When I came inside the Castle, I had it in my thought to see the officer that my wife was washing for, to ask him to let me have the washing back, as she was then well enough to work. As I passed, I saw a good many of the natives in the verandah over the officers' quarters, and I pass three times there seeking for the officer. When I found the officer, he asked me what I was doing that I had not on my gaiters. I told him that I had left my rifle cells on the night before, and that I had come for it. He then told the Sergeant, Henry Gill, to take me to the Sergeant of the guard, and bid him not to let me pass the gate not until he was ready to go to Colonel's hill himself. In the meantime, as I was sitting in the guard room, I saw Corporal Davis came to No. 3 company barracks and took about twenty of the soldiers, and fall me out with them; took us to the place where they were holding the inquest during the time. I did not know for what purpose he had carry us there for. Then after they begin to make inquiries about who is the soldier they know by face kill the native. Then one of the native, whose name is Coleman Degraft, came and took hold of me by the left arm, and said, before Mr. Doorly, the coroner, "I know this man; he struck me last night, he says. I said nothing more, but ask'd him Is it I? He replied, Yes. Mr. Doorly then said to Corpl. Davis to take me to the guard room. I was in the guard room until ½ past three o'clock. I was sleeping, when I heard Mr. Cary said to the sergt., Guard, take two escort with you, and take King to the Gothic House, and hand him over to the jailor. I was immediately turned out. As I step I heard Mr. Cary said to me, Your wife shall see you with a rope round your neck on the gallows. So they marched me to the Gothic House without being carried before the magistrate. I was in the Gothic House for a length of time before I see a policeman come and asked for my name and company, saying that he was sent by Mr. Doorly to ask me; and when I told him, he write it down, and off he went with it. When he returned,

returned, he brought a committment of Wilful Murder, saying that I had killed one Sam Esse.

Honour'd Sir, without ever allowed to speak one word of defence for myself, to a thing of which I am as innocent before man and God as a child that is yet unborn, and without standing before a bar and speaking one word of defence for myself, I was sentence to immediate death; but as God would have it, I am pardoned, and am now for life, of which, oh, Honour'd Sir! I hope that you will look over the case, and so release a poor desperate wretch, as to the state that I am now in. I was somehow on trial for 3 days, and I was never brought before a judge to speak a word of defence for myself. Oh! but Gracious Sir, the petition of your humble servant, I hope that you may have mercy on me, and so release me out of those chains that I am so cruelly and wretchedly stock'd with, of which I am quite innocent. Oh, Sir! May the petition of your humble servant, which is now suffering from want of life, may be gracious to your eye, and may you have mercy one like me, as Jesus had on us when He died to save us from the wrath to come, is the humble petition of your most humble servant,

(signed) *W. I. King*,
4th W. I. Regiment, Cape Coast Prison.

— No. 21. —

(No. 78.)

No. 21.
The Right Hon. the Earl of Carnarvon to Governor Blackall.
23 February 1867.

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor *Blackall*.

Sir, Downing-street, 23 February 1867.

I HAVE received your Despatch, No. 62,* of the 24th of December last, reporting that John Aggery, commonly called King of Cape Coast, had been sent away by Colonel Conran, the Administrator of the Gold Coast, from that place to Sierra Leone on account of what appeared to be seditious and menacing proceedings, and that you had set Aggery free at Sierra Leone on parole with an allowance of five shillings a day for his maintenance until you could receive instructions from me as to his ultimate disposal. I have also received your Despatch, No. 2,† of the 15th of January, transmitting further papers from Colonel Conran in explanation of his measures, and enclosing a proclamation in which he had pronounced the deposition of Aggery.

* Page 70.

† Page 77.

Alluding to the recent attempt of another petty chief to imprison and torture some people close to the British Fort at Anamaboe, you express a general conviction that nothing but a firm enforcement of British authority over chiefs who are situated on our very border will prevent a return amongst the Fantee tribes to their cruel and barbarous customs. At Cape Coast you represent that an attempt at divided authority must lead to constant collision. You see no objection to recognising a Head man, but under the control of Her Majesty's representative. You report to me that Aggery knows very little English, and that it was only with difficulty, and through the medium of an interpreter, that you could make him understand your communications to him about his threatening letter to Colonel Conran. Your conclusion is, that his presence at Cape Coast with the title of King, being an ignorant man in the hands of artful persons, must be a source of constant danger; and, assuming him to be deposed, you think that he could not complain if, upon giving security for his future good behaviour, he were permitted to return to Cape Coast, enjoying his private means, and with a pension for his own life of 100*l.* per annum.

I much regret that the injudicious course taken by Aggery under bad advice has brought affairs to the present crisis. The anomalous position of the British Government on the Gold Coast affords no general principles for the decision of such questions as the present. I can only look to the history of the place, and to the nearest approach which can be discovered to a precedent, for my assistance in endeavouring to arrive at a just conclusion.

The town of Cape Coast is contiguous to, and inseparably united with, Cape Coast Castle. The Government House and the market are both situated outside the fort and within the precincts of the town. From time to time a chief was elected who, on being approved by the Governor, received the title of King, according to what may be a somewhat injudicious practice of white people in designating chiefs on the African coast. In 1856 the King of Cape Coast at that time was deposed by Colonel Ord, Her Majesty's Commissioner, in compliance with the wish of his people, who were dissatisfied with him. An interval followed of nine years, during which there was no king at all; but in February

1865 Governor Pine permitted and ratified the election of John Aggery. I find
Q. 6449. it stated in Colonel Conran's evidence before the Parliamentary Committee of 1865, that Governor Pine refused to admit his right to hold courts or appoint magistrates, and similar evidence in substance was given by Colonel Ord.

Q. 8473 to Q. 8501. Aggery sent an agent named Martin to give evidence before the Committee of the House of Commons; and, after that agent's return, erroneous accounts are said to have been circulated of the proceedings before the Committee. There certainly has been a greater disposition than had appeared before to dispute the Governor's authority, and to set up the Native against the English Courts, which had been resorted to for many years by the natives with great benefit. After various other differences, Aggery, on the 15th of March 1866, addressed a memorial to Governor Blackall, which revealed the false ideas that he had been taught to entertain. He complained that the Governor passed British laws without making them known to Aggery beforehand, and obtaining the consent of the people; that the British Government received the revenues of Customs and all other public revenues, whilst none of them went to King Aggery; and he ended by announcing that he was about to form a corps of natives, to be trained to arms, for what he called the benefit of the country, and for purposes of self-defence. These pretensions need no comment. They are simply a claim to set aside the sovereignty and the power of the Queen at Cape Coast Castle itself, which is the chief seat of government on the Gold Coast. My predecessor replied that Aggery's pretensions must be effectually discountenanced; that he must be told that, in return for protection, we expect deference to our authority, and that he would not be permitted to make himself an exception to that rule. Aggery, however, did not alter his course. He appears to have fallen into the hands of a European, or man of colour, who had been lately dismissed from the office of churchwarden on account of his immorality; and after growing indications of disrespect for the Government, Aggery wrote his menacing letter to Colonel Conran, having previously held a meeting of his followers, at which, as reported by Colonel Conran, no fewer than 2,500 persons were assembled.

These are the circumstances under which Colonel Conran, believing, as he sets forth in his address of the 10th of December to the principal European and native inhabitants of Cape Coast, that there was grave public danger, resolved upon immediately sending off Aggery by the mail steamer to Sierra Leone, with a view to the ultimate decision of the case by you or by Her Majesty's Government.

I have already said that I regret the absence of any settled law by which I could dispose of the matter. The practical question seems to be whether there are sufficient grounds for depriving Aggery of the title and position which was accorded to him by Governor Pine in the beginning of 1865. Whilst I regret that the affair should have been thus forced by him to such an issue, it is clear to me, on a review of the foregoing facts, that it would be inconsistent with the proper precautions to be observed at Cape Coast, and with that resistance which it is our duty to offer to the renewal, under the very walls of our forts, of the cruel punishments and exactions of native chieftains, to allow Aggery to resume his former position. I have, therefore, to express my approval of his deposition. I agree with you, that it will be better to avoid conferring a title so calculated to mislead as that of King, on the next person who may be elected by the people, and approved by the Governor, as the leading native authority in the town. The designation which you propose of Head man is far more appropriate.

With regard to Aggery himself, I should wish him to be treated with all reasonable consideration. I am prepared to sanction an allotment to him of a pension of 100 *l.* for his life, subject to his good behaviour, and in addition to any private means of his own. You will judge whether he should be required to reside for the present at Sierra Leone, or whether he can be permitted to return as a private person to the Gold Coast. This point I must leave to your discretion; but at first sight it seems to me that to require Aggery's residence at Sierra Leone, rather than at the Gold Coast, for one or two years, until the memory of recent transactions has passed, will be the safest course to adopt.

I have, &c.
(signed) *Carnarvon.*

KING AGGERY.

COPIES of all CORRESPONDENCE between the Governor in Chief in *West Africa*, or the Administrator of *Cape Coast*, and Her Majesty's Government, relative to the Arrest and Deportation to *Sierra Leone*, without Trial, of KING AGGERY of *Cape Coast*; and, of previous CORRESPONDENCE relative to Differences with KING AGGERY.

(*Mr. Buxton.*)

Ordered, by The House of Commons *to be Printed,*
5 *April* 1867.

[*Price* 1 *s.* 2 *d.*]

198.

Under 12 *oz.*

CIRCULAR DESPATCH TO COLONIAL GOVERNORS,

DATED 30th JANUARY 1867,

ON THE SUBJECT OF

MARTIAL LAW.

Presented to both Houses of Parliament by Command of Her Majesty.
24th June 1867.

CIRCULAR.

SIR, Downing Street, January 30, 1867.

ALTHOUGH I do not know that there exists in the Colony under your government any law authorizing the proclamation of martial law by the Governor, I think it advisable to communicate to you, for your information, and if necessary for your guidance, an extract of a Despatch addressed by me to the Governor of Antigua, in which I have stated the views of Her Majesty's Government on this subject.

I have, &c.

(Signed) CARNARVON.

EXTRACT of a Despatch from the Earl of Carnarvon to the Officer administering the Government of Antigua, dated Downing Street, 30th January 1867, No. 40.

AN enactment which purports to invest the Executive Government with a permanent power of suspending the ordinary law of the Colony, of removing the known safeguards of life and property, and of legalizing in advance such measures as may be deemed conducive to the establishment of order by the military officer charged with the suppression of disturbances, is, I need hardly say, entirely at variance with the spirit of English law. If its existence can in any case be justified, it can only be because there exists such a state of established insecurity as renders it necessary for the safety and confidence of the well disposed, that, in times of national emergency, the Government should possess this extraordinary facility for the suppression of armed rebellion. But whatever apprehensions or disturbances may exist in any of Her Majesty's Colonies, it is certain that no such chronic insecurity prevails in any of them, and in no Colony, therefore, should the power given by the present law to the Governor of Antigua be suffered to continue.

I think it, therefore, necessary to repeat the instructions given by my predecessor to Colonel Hill, and to request that you will cause to be submitted to the Legislature an Act repealing so much of the law as authorizes the proclamation of martial law.

I have only to add, that in giving you these instructions, Her Majesty's Government must not be supposed to convey an absolute prohibition of all recourse to martial law under the stress of great emergencies, and in anticipation of an Act of Indemnity. The justification, however, of such a step must rest on the pressure of the moment, and the Governor cannot by any instructions be relieved from the obligation of deciding for himself, under that pressure, whether the responsibility of proclaiming martial law is or is not greater than that of refraining from doing so.

[3881]

LONDON:
Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

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RELATIVE TO

THE AFFAIRS OF NEW ZEALAND.

(*In continuation of Papers presented August* 1866.)

Presented to both Houses of Parliament by Command of Her Majesty.
1867.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1867.

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SCHEDULE.

DESPATCHES FROM THE GOVERNOR.

Number in Series.	Date and Number.	SUBJECT.	Page.
1	5 July 1866 (No. 66)	Speech on opening Session of General Assembly, forwards -	1
2	5 July 1866 (No. 67)	Address received from the House of Representatives in reply to Speech opening Session, forwards - - -	2
3	6 July 1866 (No. 68)	Address from Legislative Council in reply to Speech opening Session, forwards - - - - - - -	4
4	10 July 1866 (No. 69)	Death of a Native named "Spain" - - - - Explains the circumstances under which this man was accidentally shot.	5
5	17 July 1866 (No. 71)	Copy of telegram sent to Secretary of State, forwards, sent on 17th July - - - - - - -	6
6	24 July 1866 (No. 73)	State of affairs - - - - - - - Reports that the state of affairs still continues rapidly to improve. The General Assembly is sitting. William Thompson, with three other Chiefs, reached Wellington on 22nd instant, on board H.M.S. "Esk."	6
7	17 Aug. 1866 (No. 83)	Resignation of Mr. Stafford's Ministry on vote of "No Confidence" - - - - - - - - - Transmits with regret copy of a Memorandum from Mr. Stafford, informing him that the Resolution, "That the "Ministry as at present constituted does not possess the "confidence of this House," was passed in the House of Representatives on the motion of Mr. Moorhouse, and placing resignation in Governor's hands. Acknowledges the aid always rendered by Mr. Stafford's Ministry. Shall probably report by present mail that a Ministry has been constituted.	6
8	17 Aug. 1866 (No. 84)	Formation of new Ministry, as to arrangements for - - Reports at last moment that arrangements are not yet complete, and probably will not be for two or three days.	7
9	24 Aug. 1866 (No. 85)	Formation of a Ministry by Mr. Stafford - - - Reports as under : Mr. Stafford, Premier and Colonial Secretary. Mr. Fitzherbert, Colonial Treasurer. Mr. Hall, Postmaster-General. Colonel Houltain, Minister for Colonial Defences. Mr. Richmond, Commissioner of Customs. Major Richardson and Mr. Johnston, Members of the Executive Council without Office	7
10	8 Sept. 1866 (No. 89)	State of the Colony - - - - - - - Reports continuance of a satisfactory state of affairs. Encloses letter from the so-called Maori King, who acquiesces in the arrangements made respecting confiscated territory, and leaves other points for Governor's decision. Every exertion will be used to restore them to a position of contentment and comfort.	7
11	8 Oct. 1866 (No. 101)	Speech of Governor proroguing the Session of the General Assembly - - - - - - - - Encloses three printed copies.	8

Number in Series.	Date and Number.	SUBJECT.	Page.
12	12 Oct. 1866 (No. 102)	Valuable services of Commodore Sir W. Wiseman and the officers, seamen, and marines of the vessels under his command. - - - - - - - - Transmits memorandum of Responsible Advisers bearing testimony to these services, especially during the period of Native disturbances. Trusts that Sir W. Wiseman will receive some further recognition of his services than has yet been granted to him.	9
13	15 Oct. 1866 (No. 104)	Murder of a trooper of Colonial forces by the Natives at Ketemarae - - - - - - - - Reports, and states this boldness shows the necessity for having at the seat of Government a Military Officer to communicate with, and hopes that the head-quarters will be removed from Auckland.	10
14	15 Oct. 1866 (No. 105)	Objections to the head-quarters of General Chute remaining at Auckland - - - - - - - In reply to No. 66 of 20th June, states that if this decision is adhered to serious disaster will probably be entailed on the Colony, and a large expenditure on Great Britain, and that he hopes the Secretary of State for War will alter the arrangement.	11
15	2 Nov. 1866 (Separate)	As to inaction of Imperial troops in disturbed districts - Transmits letter addressed to Governor's Private Secretary, by direction of Major-General Commanding, regarding a memorandum received by Governor from his Responsible Advisers.	12
16	2 Nov. 1866 (Separate)	Letter to Major Rocke, requesting him to take measures to repress disturbances in the Waingongoro District - - Transmits copy of a letter which, in the absence of the Major-General, he was compelled to address to Major Rocke.	12
17	3 Nov. 1866 (Separate)	With reference to head-quarters of the army remaining at Auckland - - - - - - - - Reiterates what he has stated in former Despatches on this head, and encloses correspondence with the Major-General.	13
18	5 Nov. 1866 (Separate)	With reference to the withdrawal of the 57th Regiment from the Waikato River - - - - - - - States that the effect of the removal of this regiment at the present moment would be to hurry on disturbances, and he has therefore given orders that it stand fast. Encloses correspondence with the Major-General.	20
19	6 Nov. 1866 (Separate)	Invitation from Taupo Chiefs to visit them - - - Transmits letter from the Resident, forwarding the invitation. States his intention of accepting it when circumstances will allow.	21
20	10 Nov. 1866 (Separate)	Successful result of measures against Rebels in Waingongoro District - - - - - - - - Referring to previous Despatch, states the measures taken by Major Rocke have been successful.	22
21	10 Nov. 1866 (No. 106)	Successes against rebel Natives in the Province of Napier - Reports. Encloses copy of the Government Gazette, containing account of operations under the direction of Dr. McLean, Superintendent of the Province, by troops commanded by Lieutenant-Colonel Whitmore, resulting in the complete success of the troops.	26
22	28 Nov. 1866 (No. 108)	Letter from Major-General Chute to the Secretary of State for War relative to Memorandum by Ministers - - - Transmits copy of a letter received from Major-General Chute to Secretary of State for War relative to memorandum of Ministers, which he considers reflected on the conduct of Her Majesty's troops in Whanganui District. Governor considers the distance of the residence of the Major-General from the Seat of Government too great, and that in consequence the present difficulty has arisen.	31

Number in Series.	Date and Number.	SUBJECT.	Page.
23	29 Nov. 1866 (No. 111)	Detachment of Her Majesty's troops have taken the field at Tauranga - - - - - - - - - Transmits copy of a letter from Lieutenant-Colonel Harrington, reporting. States that it was done by the direction of Lieutenant-Colonel Hamilton, of the 12th Regiment, on the requisition of an officer of the Local Government, but without Governor's knowledge or assent, and in violation of his instructions. Considers it of immediate and the highest importance that the Major-General should reside at the Seat of Government. Is about to proceed to Tauranga at once.	34
24	8 Jan. 1867 (No. 1)	Reporting his journey through the North Island, and that he was received with rejoicings by the Natives, who were desirous of receiving Europeans amongst them and of obeying the law - - - - - - - -	35

DESPATCHES FROM THE SECRETARY OF STATE.

1	22 Sept. 1866 (No. 28)	Governor's Speech opening Session of Parliament, acknowledges Despatch enclosing - - - - - -	37
2	22 Sept. 1866 (No. 29)	Improvement in the state of affairs, acknowledges Despatch reporting - - - - - - - -	37
3	22 Sept. 1866 (No. 30)	Telegram, acknowledges Despatch No. 71 enclosing copy of - States that this telegram has not been received.	37
4	26 Sept. 1866 (No. 31)	Death of a friendly Native named "Spain," acknowledges Despatch reporting circumstances respecting - -	38
5	11 Oct. 1866 (No. 34)	New Zealand Chief's Memorial to the Queen forwarded by the Rev. L. Parsly. Enclosed copy of in original, and translation by Mrs. Colenso; instructed to acquaint the Chief that his Memorial has been received, but that any communication of the kind must come through the Governor. Her Majesty has no intention of sending out a great judge from England, but she is anxious for the happiness of Her British and Maori subjects - - - - - -	38
6	19 Oct. 1866 (No. 36)	Rations supplied to military convicts - - - Forwarding copy of Treasury letter respecting 172*l.* 16*s.* 5*d.* due to Colonial Government for rations, from 1st July 1865 to 31st March 1866. Treasury approve of provision being made in Parliamentary Estimates for this amount, but it must be credited to Treasury Chest account in part diminution of the debt.	40
7	24 Oct. 1866 (No. 38)	Retention of certain officers and men of the 6th Company of the Royal Engineers by Major-General Chute - - Forwarding copy of correspondence with War Office respecting.	41
8	24 Oct. 1866 (No. 39)	Resignation of Mr. Stafford's Ministry - - - - Acknowledges Governor's Despatches 83 and 84, reporting, and stating that new Ministry had not been yet formed.	43
9	7 Oct. 1866 (No. 43)	New Ministry under Mr. Stafford - - - - - Acknowledges Governor's Despatch No. 85, reporting formation of, and requesting that the Queen may be advised to approve and confirm the several appointments. Lord Carnarvon states that Governor's commission fully empowers him to appoint from time to time the members of his Executive Council, and that it is not necessary for Her Majesty to confirm these appointments made by Governors of Colonies possessing Responsible Government. Expresses satisfaction.	43

Number in Series.	Date and Number.	SUBJECT.	Page.
10	10 Nov. 1866 (No. 44)	State of affairs in the Colony improving daily - - Acknowledges his Despatch No. 89, reporting this and enclosing copy of a message received by Governor from the Maori King. Considers this account generally satisfactory, but observes that Rewi still stands aloof.	43
11	20 Nov. 1866 (No. 46)	Imperial guarantee to certain debentures of the New Zealand Government - - - - - - Forwarding copy of a letter from Treasury, showing that by Act 29 & 30 Vict. c. 104., authorizing the guarantee to the amount of 500,000*l.*, the Treasury has been enabled to dispose of them at par, and that the above sum received for them from the Bank of England has been accordingly credited to the Exchequer in part repayment of debt due to the Imperial Government from the Colony.	44
12	1 Dec. 1866 (No. 49)	Withdrawal of Her Majesty's troops from the Colony - - Forwards copies of three letters from the War Office, with enclosures, the most important being General Chute's letter to the Governor of 26th July, and Governor's answer of 18th August; regrets that almost all the information on the subject should be derived from the War Office. Observes that up to date of latest official advices, *i.e.*, to the middle of September, five regiments of infantry were still in Colony. Observes that 2nd battalion of 14th Regiment and the head-quarters wing of the 50th Regiment have been detained long after they ought to have left, and probably others. Instructions in Despatch to Governor, 27th November 1865 applied to concentration of troops, for whom Colony were to pay, and was applicable, *à fortiori* to troops for whom Colony refuses to pay anything. Delay owing to want of hearty co-operation between Civil and Military Authorities, and to a misapprehension on Governor's part of the view with which troops were retained in the Colony. Her Majesty's troops must therefore be placed under an undivided control. Governor accordingly will (with the exception of the single regiment, which he will be at liberty to retain in the Colony if the grant of 50,000*l.* per annum for Native purposes be continued) have no control over Her Majesty's troops, and Major-General Chute will be so informed. Governor only to provide for General Chute receiving every facility in carrying out War Office instructions. Rules to be observed respecting the single regiment left. Copy of the Despatch will be sent to the War Office.	44
13	5 Dec. 1866 (No. 50)	Speech closing the General Assembly of New Zealand - - Acknowledges Despatch enclosing.	49
14	22 Dec. 1866 (No. 55)	Vote of thanks unanimously passed by House of Representatives to Commodore Sir W. Wiseman, and the officers, seamen, and marines of the vessels under his command, for the many services rendered by them - - - - Acknowledges Despatch enclosing.	50
15	28 Dec. 1866 (No. 56)	Military head-quarters - - - - - - Acknowledges a Despatch urging the reconsideration of the decision of the Secretary of State for War that they should remain at Auckland. The question has long since been settled by the removal of General Chute to Wellington. Points out that he is under a misapprehension in supposing General Chute's presence in his own immediate neighbourhood to be of any great importance, Her Majesty's Government being determined to incur no large expenditure on account of troops, and to withdraw them all except one regiment. The colonists having accepted the management of Native affairs the duty of self-protection devolves upon themselves. Observes that he makes no mention of an attack on Natives at Hawkes Bay, described by the papers as "most "brilliant affair of this guerilla war." If it were alleged in this country that the attack was unwarrantable and merciless, the Secretary of State would have no authentic means of reply.	50

Number in Series.	Date and Number.	SUBJECT.	Page.
16	31 Jan. 1867 (No. 4) -	Major Rocke, 18th Regiment - - - - - - Acknowledges Despatch reporting that he had taken active measures against certain Native tribes in compliance with direct request from Governor.	51
17	1 Feb. 1867 (No. 5) -	Military head-quarters remaining at Auckland - - Acknowledges Despatch enclosing letter from General Chute on the subject, and refers him to Despatch No. 56 for instructions. Regrets controversies which have so long subsisted between himself and the officers successively commanding Her Majesty's troops, and also that he has cause to complain that communications are made by officers without affording him an opportunity of answering them. General Peel will call General Chute's attention to instructions given him on this subject. Points out, however, that he does not intimate any intention of communicating the substance of Despatch under acknowledgment to General Chute.	51
18	1 Feb. 1867 (No. 6) -	Withdrawal of the detachment of the 57th Regiment from the Waikato River - - - - - - - Acknowledges Despatch enclosing correspondence with General Chute on the subject. Is unable to decide whether the troops were properly detained, but has little doubt that they ought to have left the district long ago.	52
19	1 Feb. 1867 (No. 7) -	Acknowledges Despatch enclosing letters by Resident Magistrate of, and from all the principal Chiefs of Taupo - - Upper Wanganui.	52
20	1 Feb. 1867 (No. 8) -	Punishment of the Natives engaged in outrages in the disturbed part of the Colony - - - - - - Acknowledges Despatch reporting measures taken for. Glad that he does not anticipate any fresh disturbance of importance.	53
21	1 Feb. 1867 (No. 9) -	Continued expenditure of Imperial Funds for Colonial purposes - - - - - - - - Transmits letter from the Officer in charge of the Treasury Chest respecting, and requests explanations. He will not be at liberty to require the Imperial regiment left in the Colony to be detained at Taupo, or anywhere except in or near one of the great centres of population.	53
22	1 Feb. 1867 (No. 10) -	Inaction maintained by Her Majesty's troops in a disturbed district - - - - - - - - Acknowledges Despatch respecting a Memorandum by his Responsible Advisers regarding. Points out that he transmitted correspondence in such an imperfect state that Secretary of State could not have understood the question if he had not received full correspondence from the War Office. Is of opinion that the Imperial troops cannot be too promptly or completely withdrawn. All operations carried on conjointly by Imperial and Colonial forces must be under the control of the officer commanding Her Majesty's troops.	55
23	21 Feb. 1867 (No. 13)	Transmits letter from the Treasury enclosing letter from Commissary General Jones, reporting the measures taken for adjustment of accounts between Imperial and Colonial Governments - - - - - - -	60
24	25 Feb. 1867 (No. 14)	Engagement with armed rebels in the District of Napier -	62
25	26 Feb. 1867 (No. 15)	Disapproves Mr. Mackay's proceedings in asking for the support of Her Majesty's troops towards appropriation of Native Lands - - - - - - -	62

Number in Series.	Date and Number.	SUBJECT.	Page.
26	28 Feb. 1867 (No. 18)	Encloses a letter from the War Office transmitting a Despatch from General Chute, which contains his comments on Sir George Grey's Despatch of 3rd November. Her Majesty's Government do not perceive that the correspondence requires any fresh directions on the subject. They consider that the public interest will be best consulted by allowing the controversy to close with the withdrawal of the troops - -	62
27	28 Feb. 1867 (No. 19)	Respecting the employment of Her Majesty's troops at certain redoubts in the Patea District, to enable the Colonial Forces to be employed as covering parties for the surveyors. States that General Peel had been requested to inform General Chute, that the employment of Her Majesty's troops in this service cannot be approved - - - -	68
28	1 Mar. 1867 (No. 20)	Transmits letter from the War Office respecting the Memorandum in which Sir George Grey's Responsible Adviser's expressed their opinion regarding the conduct of certain of Her Majesty's troops serving in New Zealand. Recapitulates the facts: states that he should be wanting in his duty to Her Majesty's troops if he did not unequivocally pronounce his opinion, that the reflections cast by Sir George Grey's Ministers on those troops are entirely unwarranted -	69
29	6 Mar. 1867 (No. 21)	Acknowledges Governor's Despatch No. 1 of the 8th January, in which he announces his return to Wellington from a visit he had paid to the interior of the Island: and is glad to learn that he was well received by the natives in the districts visited, and that they appeared desirous of receiving Europeans amongst them and of obeying the law - - -	72

FURTHER PAPERS

RELATIVE TO

THE AFFAIRS OF NEW ZEALAND.

Despatches from the Governor.

ZEALAND. NEW

No. 1.

No. 1.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 66.) Government House, Wellington, July 5, 1866.
(Received, September 13, 1866.)
(Answered, No. 28, September 22, 1866, page 37.)

SIR,

I HAVE the honour to transmit for your information a copy of the speech with which I opened the present session of the General Assembly on the 4th instant.

2. As this speech was framed by my Responsible Advisers in conformity with my instructions from you, it is not necessary for me to trouble you with any remarks in relation to it.

I have, &c.
(Signed) G. GREY.

The Right Hon. Edward Cardwell, M.P.,
&c. &c. &c.

Enclosure in No. 1.

Encl. in No. 1.

EXTRACT from the "New Zealand Gazette," July 3, 1866.

The First Session of the Fourth Parliament of New Zealand was this day opened by the Governor, when his Excellency was pleased to make the following speech:—

HONOURABLE LEGISLATIVE COUNCILLORS,
GENTLEMEN OF THE HOUSE OF REPRESENTATIVES,

I have taken the earliest opportunity of resorting to your advice and assistance after the dissolution of the late Parliament.

The increase in the number of the Members of the House of Representatives, which has taken place under the Act which came into operation on the occasion of the recent general election, will, I trust, give additional weight to the deliberations of the Legislature, and afford more ample means than has hitherto existed for the due representation in Parliament of all interests in the Colony.

It is with great satisfaction that I am enabled to inform you of the all but complete cessation of disturbances in those portions of the Northern Island which had previously been disaffected.

By the expedition of General Chute on the West Coast important results have been attained. Our prestige has been restored, and the Maoris have been convinced that the British soldier, when properly led, can follow them to their fastnesses, and is nowhere to be successfully resisted. Recent occurrences have, however, proved that this campaign, so ably conceived and so gallantly and vigorously conducted, has not sufficed, owing to its abrupt termination, to secure the tranquillity of that district; nevertheless, a valuable service has been rendered by the Major-General to the Colony and to the Empire.

The unbroken success which has attended the operations on the East Coast of Her Majesty's Colonial forces, largely aided by loyal Natives, has resulted in the surrender or capture of most of the hostile Natives.

NEW ZEALAND.

My Government has eagerly watched for and gladly accepted every indication on the part of any o these Natives of a desire to live peaceably with their fellow-subjects, and with the view of removing any cause of irritation, the larger portion of those who had been taken in arms have been restored to liberty; while at the same time the more prominent ringleaders have been temporarily removed to the Chatham Islands, and those who had been guilty of wanton and unprovoked murders, committed in cold blood, have been dealt with by the ordinary civil tribunals.

By perseverance in a policy of kindness and consideration towards the well-disposed, and of firmness towards the turbulent, Her Majesty's Native subjects will be assured of the advantages to be derived from habits of order and a respect for law, while they will also recognize that acts of violence cannot be practised with impunity.

While congratulating you on this improved condition of a large portion of the country, which had been a cause of much anxiety and embarrassment, it must not be overlooked that there yet remain districts with respect to which it will be necessary that you should provide for a time a sufficient force to repress outrage, and maintain Her Majesty's authority. As Her Majesty's regular forces have left, or are leaving the Colony as fast as the means of transport can be procured, it is imperative that no delay should take place in making this provision.

The commencement of the mail service, by way of Panama, cannot but be a subject of gratification and legitimate pride to the people of New Zealand, who in common with the inhabitants of the neighbouring Colony of New South Wales, have long recognized the advantages which would result from this addition to their means of postal communication.

The extension of telegraphic communication within the Colony, by means of the electric cable shortly to be laid across Cook Strait, will also conduce to the progress of the country and the development of its resources. Measures will be taken as early as possible for continuing this means of communication throughout the Northern Island.

The continued increase in the produce of the gold fields has caused a corresponding increase in the population and revenue of the Colony, has largely added to its commerce and wealth, and has tended to maintain that progressive advance for which New Zealand has been remarkable.

GENTLEMEN OF THE HOUSE OF REPRESENTATIVES,

You will find that a rigid economy has been exercised in the expenditure of the supplies voted for the public service last session.

A careful regard for economy will also regulate the preparation of the estimates to be submitted to you for the ensuing financial year.

The public accounts of the Colony will be laid before you.

The recent disposal of a large portion of the loan authorized to be raised for the service of the Colony is evidence of an increasing confidence in the value of the colonial securities, which had been temporarily depressed by the operation of a variety of causes, amongst which may especially be instanced the manner in which some of the provincial loans have been dealt with. You will be invited to consider how this injury to the credit alike of the Colony and of the Provinces may be obviated for the future.

In connexion with this subject, and as a means of improving the financial condition of the country, the propriety of enabling the several existing debts of New Zealand to be consolidated, on certain conditions, should also be considered.

Proposals for a revision of the tariff, which has long been demanded, will be submitted for your consideration, as also the question of providing an additional source of revenue by means of stamp duties.

To maintain and improve the credit of the country will be at all times an object of solicitude to my Government, in promoting which I look with confidence to your zealous co-operation.

HONOURABLE GENTLEMEN AND GENTLEMEN,

In accordance with an intimation made last session I have appointed a commission to inquire into the position of the civil service, with a view to establishing a definite system which would promote the efficiency of the service, and conduce to economy in the public expenditure. The report of this commission will shortly be laid before you.

Measures for improving the administration of justice, and on other subjects of importance, will be submitted for your approval.

In these and all other matters which may claim your attention, I pray that Divine Providence may guide your labours, so that they may conduce to the happiness and prosperity of the people of New Zealand.

No. 2

No. 2.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 67.) Government House, Wellington, July 5, 1866.

(Received, September 13, 1866.)

SIR, (Answered, No. 28, September 22, 1866, page 37.)

I HAVE the honour to enclose for your information a copy of an Address, which I have this day received from the House of Representatives, in reply to the speech with which I opened the present session of the General Assembly of New Zealand. There is nothing in this Address which appears to call for remark from me.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) G. GREY.

&c. &c. &c.

Enclosure in No. 2.

Encl. in No. 2.

MAY IT PLEASE YOUR EXCELLENCY,

WE, Her Majesty's dutiful and loyal subjects the Representatives of New Zealand in Parliament assembled, beg leave to express our thanks for your Excellency's speech.

We thank your Excellency for the assurance that you have taken the earliest opportunity of resorting to our advice and assistance after the dissolution of the late Parliament.

We participate in your Excellency's trust that the increase in the number of members of the House of Representatives, which has taken place under the Act which came into operation on the occasion of the recent general election, will give additional weight to the deliberations of the Legislature, and afford more ample means than has hitherto existed for the due representation in Parliament of all interests in the Colony.

We concur in your Excellency's satisfaction that your Excellency is enabled to inform us of the all but complete cessation of disturbances in those portions of the Northern Island which had previously been disaffected.

We thank your Excellency for informing us that by the expedition of General Chute on the West Coast important results have been attained, that our prestige has been restored, and the Maoris have been convinced that the British soldier, when properly led, can follow them to their fastnesses, and is nowhere to be successfully resisted. We regret that recent occurrences have, however, proved that this campaign, so ably conceived, and so gallantly and vigorously conducted, has not sufficed to secure the tranquillity of that district, but we recognize nevertheless that a valuable service has been rendered by the Major-General to the Colony and to the Empire.

We thank your Excellency for informing us that the unbroken success which has attended the operations on the East Coast of Her Majesty's Colonial forces, largely aided by loyal Natives, has resulted in the surrender or capture of most of the hostile Natives; that your Excellency's Government has eagerly watched for and gladly accepted every indication on the part of any of the Natives of a desire to live peaceably with their fellow subjects, and that with the view of removing any cause of irritation, the larger portion of those who had been taken in arms have been restored to liberty, while at the same time the more prominent ringleaders have been temporarily removed to the Chatham Islands, and those who had been guilty of wanton and unprovoked murders, committed in cold blood, have been dealt with by the ordinary civil tribunals.

We concur in your Excellency's belief that by perseverance in a policy of kindness and consideration towards the well-disposed, and of firmness towards the turbulent, Her Majesty's Native subjects will be assured of the advantages to be derived from habits of order, and a respect for law, while they will also recognize that acts of violence cannot be practised with impunity.

We thank your Excellency for informing us that while congratulating us on this improved condition of a large portion of the country, which had been a cause of much anxiety and embarrassment, it must not be overlooked that there yet remain districts with respect to which it will be necessary that we should provide for a time a sufficient force to repress outrage and maintain Her Majesty's authority; and that as Her Majesty's regular forces have left, or are leaving the Colony as fast as the means of transport can be procured, it is imperative that no delay should take place in making this provision.

We assure your Excellency that the commencement of the mail service, by way of Panama, cannot but be a subject of gratification and legitimate pride to the people of New Zealand, who in common with the inhabitants of the neighbouring Colony of New South Wales, have long recognized the advantages which would result from this addition to their means of postal communication.

We thank your Excellency for informing us that the extension of telegraphic communication within the Colony, by means of the electric cable shortly to be laid across Cook Strait, will also conduce to the progress of the country and the development of its resources, and that measures will be taken as early as possible for continuing this means of communication throughout the Northern Island.

We fully believe that the continued increase in the produce of the gold fields has caused a corresponding increase in the population and revenue of the Colony, has largely added to its commerce and wealth, and has tended to maintain that progressive advance for which New Zealand has been remarkable.

We thank your Excellency for informing us that we will find that a rigid economy has been exercised in the expenditure of the supplies voted for the public service last session, that a careful regard for economy will also regulate the preparation of the estimates to be submitted to us for the ensuing financial year, and that the public accounts of the Colony will be laid before us.

We concur with your Excellency that the recent disposal of a large portion of the loan authorized to be raised for the service of the Colony is evidence of an increasing confidence in the value of the colonial securities, which had been temporarily depressed by the operation of a variety of causes, amongst which may especially be instanced the manner in which some of the provincial loans have been dealt with.

We assure your Excellency that we will consider how this injury to the credit alike of the Colony and of the Provinces may be obviated for the future, and also in connexion with this subject, and as a means of improving the financial condition of the country, the propriety of enabling the several existing debts of New Zealand to be consolidated on certain conditions.

We assure your Excellency that proposals for a revision of the tariff, which has long been demanded, will receive our careful consideration, as also the question of providing an additional source of revenue by means of stamp duties.

We thank your Excellency for informing us that to maintain and improve the credit of the country will be at all times an object of solicitude to your Excellency's Government, and we assure your Excellency that in promoting this your Excellency may look with confidence to our zealous co-operation.

We thank your Excellency for the information that in accordance with an intimation made last session a commission has been appointed to inquire into the position of the civil service, with a view to establishing a definite system which would promote the efficiency of the service and conduce to economy in the public expenditure; that the report of this commission will shortly be laid before us, and that

NEW ZEALAND.

measures for improving the administration of justice, and on other subjects of importance, will be submitted for our approval. We participate in your Excellency's prayer that in these and all other matters which may claim our attention Divine Providence may guide our labours so that they may conduce to the happiness and prosperity of the people of New Zealand.

No. 3.

No. 3.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 68.) Government House, Wellington, July 6, 1866.
(Received, September 13, 1866.)
(Answered, No. 28, September 22, 1866, page 37.)

SIR,

I HAVE the honour to enclose for your information a copy of an Address, which I have this day received from the Legislative Council, in reply to the Speech with which I opened the present session of the General Assembly of New Zealand. There is nothing in this Address which appears to call for remark from me.

I have, &c.
(Signed) G. GREY.

The Right Hon. Edward Cardwell, M.P.
&c. &c. &c.

Encl. in No. 3.

Enclosure in No. 3.

WE, Her Majesty's dutiful and loyal subjects the Legislative Council of New Zealand, beg leave to return our thanks to your Excellency for the speech with which you have been pleased to open the present session of the General Assembly.

We thank your Excellency for having taken the earliest opportunity of resorting to our advice and assistance after the dissolution of the late Parliament.

We participate in your Excellency's trust that the increase in the number of the members of the House of Representatives, which has taken place under the Act which came into operation on the occasion of the recent general election, will give additional weight to the deliberations of the Legislature, and afford more ample means than have hitherto existed for the due representation of all interests in the Colony.

We concur in your Excellency's satisfaction that your Excellency is enabled to inform us of the gradual cessation of disturbances in those portions of the Northern Island which had previously been disaffected.

We rejoice to hear that by the expedition of General Chute on the West Coast important results have been attained, that our prestige has been established, and that the Maoris have been convinced that the British soldier can follow them to their fastnesses, and is nowhere to be successfully resisted, and that your Excellency considers that in this campaign, so ably conceived, and so gallantly and vigorously conducted, a valuable service has been rendered by the Major-General to the Colony and the Empire.

We thank your Excellency for informing us that the unbroken success which has attended the operations of Her Majesty's Colonial forces, largely aided by loyal Natives, on the East Coast, has resulted in the surrender or capture of most of the hostile Natives, that your Excellency's Government has eagerly watched for and gladly accepted every indication on the part of any of these Natives of a desire to live peaceably with their fellow subjects, and that with the view of removing any cause of irritation the larger portion of those who had been taken in arms have been restored to liberty, while at the same time the more prominent ringleaders have been temporarily removed to the Chatham Islands, and those who had been guilty of wanton and unprovoked murders, committed in cold blood, have been dealt with by the ordinary civil tribunals.

We concur in your Excellency's belief that by perseverance in a policy of kindness and consideration towards the well-disposed, and of firmness towards the turbulent, Her Majesty's Native subjects will be assured of the advantages to be derived from habits of order and a respect for law, while they will also recognize that acts of violence cannot be practised with impunity.

We thank your Excellency for congratulating us on the improved condition of the country, which had been a cause of much anxiety and embarrassment, and recognize with your Excellency that there yet remain districts with respect to which it will be necessary that we should provide for a time a Colonial force sufficient to repress outrage and maintain Her Majesty's authority, and that as Her Majesty's regular forces are leaving the Colony as fast as the means of transport can be procured, it is imperative that no delay should take place in making this provision.

We assure your Excellency that the commencement of the mail service, by way of Panama, cannot but be a subject of gratification and legitimate pride to the people of New Zealand, who in common with the inhabitants of the neighbouring Colony of New South Wales, have long recognized the advantages which would result from this addition to their means of postal communication.

We concur with your Excellency that the extension of telegraphic communication within the Colony, by means of the electric cable shortly to be laid across Cook Strait, will also conduce to the progress of the country and the development of its resources; and we thank your Excellency for informing us that measures will be taken as early as possible for continuing this means of communication throughout the Northern Island.

We fully believe that the continued increase in the produce of the gold fields has caused a corresponding increase in the population and revenue of the Colony, has largely added to its commerce and wealth, and has tended to maintain that progressive advance for which New Zealand has been remarkable.

We thank your Excellency for the information that in accordance with an intimation made last session your Excellency has appointed a commission to inquire into the position of the civil service, with a view to establishing a definite system which would promote the efficiency of the service, and conduce to economy in the public expenditure; that the report of this commission will shortly be laid before us; and that measures for improving the administration of justice, and on other subjects of importance, will be submitted for our approval.

We participate in your Excellency's prayer that in these and all other matters which may claim our attention Divine Providence may guide our labours, so that they may conduce to the happiness and prosperity of the people of New Zealand.

No. 4.

No. 4.

Copy of a DESPATCH from Governor Sir George Grey, K.C.B., to the Right Hon. Edward Cardwell, M.P.

(No. 69.) Government House, Wellington, July 10, 1866.
(Received, September 13, 1866.)
(Answered, No. 31, September 26, 1866, page 38.)

Sir,

I have the honour to state that my attention has been called to a statement made in a newspaper, alleged to rest on the authority of General Mete Kingi and another Native, that a Native policeman of the name of Spain had been wantonly slain by Her Majesty's forces under General Chute.

2. The statement made was that this man had been one of the first to enter a captured pah; that he was coming out of one of the houses, where he had been to look for rebels, when he came upon a party of soldiers, whose officer ordered them to fire upon him; that Spain, and others of the contingent, cried out not to fire, and that Spain said, "I am Spain," and pointed to the badge on his cap by which friendly Natives were distinguished, but that before the order could be countermanded he was shot dead.

3. I beg to acquaint you that within a few days after this man's death I heard of it, and immediately inquired into the subject, when I was informed by several Natives who were there, some of whom were relatives of Spain, that positive orders had been issued, before the place was taken, that no acts of pillage were to be committed.

4. This Native, however, who was an excellent man, led away by excitement had, instantly he got into the place, entered a house with two European troopers in search of booty, and, rushing out of the house, was seen and fired upon by a party of soldiers who were coming up, who took him for one of the enemy. He was thus accidentally shot.

5. I have now the honour to enclose a statement made by General Mete Kingi, yesterday, which entirely confirms this account of the affair.

6. I have thought it my duty to make this statement to you, in order that you may be made aware that no single case of Natives not engaged in action against us being shot by the troops, which has been brought to my notice, has been overlooked by me.

I have, &c.
(Signed) G. GREY.

The Right Hon. Edward Cardwell, M.P.,
&c. &c. &c.

Enclosure in No. 4.

Encl. in No. 4.

Statement by Mete Kingi relative to the death of Te Peina.

I came up a very short time after Spain's death. I was about 200 yards off when he was shot. A Maori, whose name I do not recollect, called out, "Oh, Mete, Spain is dead." I said, "Was he killed by the Hauhaus?" He replied, "No, by the soldiers. The soldiers made a mistake; they took "him for one of the Hauhaus; he had been in a house, and when he was coming out at the door of the "house the soldiers shot him."

I asked, "Was he shot deliberately by the soldiers?" The reply was, "No, they mistook him." He and two troopers (Europeans) went into a house to get loot. While the troopers were busy looting Spain came out. When the two Europeans came out the shot had been fired, and Spain was dead, then cried out "Balls." After that we (the Maoris) gathered round and looked at the body; we then carried away the body.

That is all I have to say about it. He was of the Ngarauru tribe. His relations were all satisfied at the time that his death was accidental. I am not quite sure whether Spain had the white badge on his

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hat or not; he was a trooper. We, the Kupapas, all had white badges. I never heard a report that Spain pointed to the badge before he was shot. If an opportunity had occurred for so doing he would not have been fired upon.

(Signed) W. ROLLESTON,
Under Secretary.

This statement of what Mete Kingi said is correct.
(Signed) E. W. PUCKEY,
Translator.

No. 5.

No. 5.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 71.) Government House, Wellington, July 17, 1866.
(Received, September 13, 1866.)
SIR, (Answered, No. 30, September 22, 1866, page 37.)

I HAVE the honour to enclose herewith a copy of a telegram, which I have this day caused to be transmitted to you.

I have, &c.
The Right Hon. Edward Cardwell, M.P., (Signed) G. GREY.
&c. &c. &c.

Encl. in No. 5.

Enclosure in No. 5.

SIR GEORGE GREY, K.C.B., to the SECRETARY of STATE for the COLONIES.

TELEGRAM.

The country remains quiet. The General Assembly is sitting.
Wellington, New Zealand,
17th July 1866.

No. 6.

No. 6.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 73.) Government House, Wellington, July 24, 1866.
(Received, September 13, 1866.)
SIR, (Answered, No. 29, September 22, 1866, page 37.)

I HAVE the honour to report, by the mail which will be sent this day *viâ* Panama, that the state of affairs in New Zealand still continues rapidly to improve. The General Assembly is sitting, and William Thompson accompanied by three other chiefs reached this place on the 22nd instant on board H.M.S "Esk," Captain Luce.

I have, &c.
The Right Hon. Edward Cardwell, M.P., (Signed) G. GREY.
&c. &c. &c.

No. 7.

No. 7.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right. Hon. EDWARD CARDWELL, M.P.

(No. 83.) Government House, Wellington, August 17, 1866.
(Received, October 15, 1866.)
SIR, (Answered, No. 39, October 24, 1866, page 43.)

Mr. Stafford, 15th August 1866.

IT is with regret that I transmit to you the enclosed copy of a memorandum from Mr. Stafford, informing me that the following resolution, "That the Ministry, as at "present constituted, does not possess the confidence of this House," having been carried in the House of Representatives on the motion of Mr. Moorhouse, Ministers placed the resignation of their offices in my hands.

2. From Mr. Stafford's Government I have always received the most friendly

co-operation, and I acknowledge with satisfaction the aid he has himself at all times given me.

3. I shall probably be able to report by this mail that a Ministry has again been constituted.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) G. GREY.
&c. &c. &c.

Enclosure in No. 7. Encl. in No. 7.

His Excellency the GOVERNOR.

Wellington, August 15, 1866.

MINISTERS present their compliments to his Excellency the Governor, and have to inform his Excellency that the following resolution, "That the ministry as at present constituted does not possess the confidence of this House" has been carried this evening in the House of Representatives on the motion of Mr. Moorhouse.

Ministers therefore respectfully place the resignation of their offices in his Excellency's hands.

(Signed) E. W. STAFFORD.

No. 8. No. 8.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 84.) Government House, Wellington, August 17, 1866.
(Received, October 15, 1866.)

SIR, (Answered, No. 39, October 24, 1866, page 43.)

I HAVE the honour to report at the last moment I can write by this mail, that the arrangements for the formation of a new Colonial Ministry have not yet been completed, and probably will not be so for two or three days.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) G. GREY.
&c. &c. &c.

No. 9. No. 9.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 85.) Government House, Wellington, August 24, 1866.
(Received, October 29, 1866.)

SIR, (Answered, No. 43, November 7, 1866, page 43.)

ADVERTING to my Despatches of the numbers and dates specified in the margin, I have now the honour to report for your information that Mr. Stafford has formed a Ministry, consisting of the following gentlemen:—Mr. Stafford, Premier and Colonial Secretary; Mr. Fitzherbert, Colonial Treasurer; Mr. Hale, Postmaster-General; Colonel Houltain, Minister for Colonial Defence; Mr. Richmond, Commissioner of Customs; Major Richardson and Mr. Johnston, Members of the Executive Council without office; and I have the honour to request that you will be pleased to advise Her Majesty to approve and confirm the above-named appointments.

No. 83, 17th August, page 6.

No. 84, 17th August, above.

I have, &c.

The Right Hon. Edward Cardwell, M.P., (Signed) G. GREY.
&c. &c. &c.

No. 10. No. 10.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 89.) Government House, Wellington, September 8, 1866.
(Received, October 29, 1866.)

SIR, (Answered, No. 44, November 10, 1866, page 43.)

I HAVE the honour to report that affairs in New Zealand continue to assume an aspect which becomes more satisfactory from day to-day.

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Aihepene Kaihan to the Governor, Waiuku, 14th August 1866.

2. In one small district of New Zealand a mere local disturbance still continues, the persons implicated in which are not more than from sixty to eighty in number.

3. From the so-called Maori King, I received, a few days since, the message contained in the letter, a copy of which is enclosed, from which you will find that himself and his adherents acquiesce in the arrangements which have been made in regard to confiscated territory, and that the only other two points regarding which they were disturbed, they have left for my decision.

4. They still retain large and ample tracts of fertile territory, and no exertions shall be wanting on my part, or on that of the local Government, to restore them without delay to a position of contentment and comfort. I hope, at the end of this month when the session of the General Assembly is ended, to be able to proceed on a visit to the Natives of the interior of this Island.

I have, &c.

The Right Hon. Edward Cardwell, M.P., &c. &c. &c.

(Signed) G. GREY.

Encl. in No. 10.

Enclosure in No. 10.

TO THE GOVERNOR. Tahurangatira Waiuku, August 14, 1866.

O PARENT, salutations to you. I have been to Kawhia to carry your word that Tawhiae, Te Paea, Tamati, and Rewi might hear it. But I did not see either Tamati or Rewi. I only saw Te Paea and Tawhaie.

They mentioned three things to me. Waikato was the first; Kawhia the second; the road from Tauranga to Rotorua, and Taupo the third. Waikato is settled. Kawhia and the Tauranga road, these two things are for you to settle and over rule, but the thought is with you better let your word come quickly that Te Paea and Tawhiae may soon hear the answer to their word. Finish.

(Signed) AIHEPENE KAIHAN.

No. 11.

No. 11.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 101.)

Government House, Wellington, October 8, 1866.

(Registered December 3, 1866.)

(Answered, No. 50, December 5, 1866, page 49.)

MY LORD,

I HAVE the honour to report that I this day closed the session of the General Assembly of New Zealand, and I transmit for your Lordship's information a copy of my speech on this occasion. I am glad that it has been in my power to speak in such favourable terms of the present state of New Zealand.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c.

(Signed) G. GREY.

Encl. in No. 11.

Enclosure in No. 11.

SPEECH ON CLOSING SESSION.

HONOURABLE LEGISLATIVE COUNCILLORS AND GENTLEMEN OF THE HOUSE OF REPRESENTATIVES:

I AM happy to be able to release you from further attendance in Parliament, and at the same time to express my acknowledgments for the zeal and assiduity with which you have applied yourselves to the discharge of your public duties during the session.

The various measures for improving the administration of justice, and on other subjects of practical utility which you have passed cannot but be productive of material advantage to the people of this country.

The Act for further regulating the management of the gold fields will facilitate operations connected with that most important branch of industry, and will tend to promote the development of the large mineral wealth of the Colony.

GENTLEMEN OF THE HOUSE OF REPRESENTATIVES:

I thank you for the supplies you have granted for the public service of the year.

The introduction of a new mode of raising the public income by means of stamp duties is the initiation of a sounder and more equable system of taxation than was possible so long as duties of customs were almost the only source of revenue. This change will enable my Government to give effect to the wish strongly entertained by them of lightening the taxes which have hitherto been imposed upon many articles of necessary consumption.

The revision of the tariff which you have effected will also remove many of the objections which existed to the manner in which duties of customs were levied, and will facilitate the contemplated reductions.

HONOURABLE GENTLEMEN AND GENTLEMEN,

I congratulate you on the steady increase in the public revenue, and the improved condition of all branches of industry, which will be still further accelerated by the recent discoveries of new gold fields in the Middle Island and by continued tranquillity in those Native districts of the North Island which have been the seat of disturbance.

The attention of my Government will be directed during the recess to the consideration of a general measure having for its object the establishment of municipal institutions throughout the country on a large and liberal scale, so as to secure the advantages of self-government to many rising localities, the daily increasing requirements of which demand attention.

I hope on an early day, in accordance with a wish long entertained by me, to have an opportunity of visiting the southern portion of the Colony, and of becoming personally acquainted with its many thriving and prosperous settlements.

In dismissing you on this occasion, I feel assured that on returning to your homes you will employ the influence which you possess to promote the welfare and happiness of Her Majesty's subjects in New Zealand.

No. 12.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 102.)

Government House, Wellington, October 12, 1866.

(Received, December 13, 1866.)

(Answered, No. 55, December 22, 1866, page 50.)

MY LORD,

I HAVE the honour to transmit for your information a copy of a memorandum I have received from my Responsible Advisers enclosing a copy of a vote of thanks unanimously passed by the New Zealand House of Representatives on the 6th instant to Commodore Sir William Wiseman, Bart., C.B., and the officers, seamen, and marines of the vessels under his command for the many services rendered by them while employed on the coasts of New Zealand.

2. Your Lordship will observe that my Responsible Advisers take this opportunity of expressing the sense entertained by the Government of this country of the great assistance which it has received from the Commodore and the commanders of Her Majesty's ships on this station throughout the period of the Native disturbances, which assistance my Responsible Advisers think largely contributed to restoring Her Majesty's authority and securing peace in the disturbed districts.

3. I entirely concur in the opinion thus expressed of the value of the services rendered by the Commodore and Her Majesty's naval forces to this Colony, and I shall be very glad if your Lordship would bring this subject under the notice of the Lords of the Admiralty, and, if it should be thought right, to confer on Sir William Wiseman some further recognition of his services than he has yet received.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c.

(Signed) G. GREY.

Enclosure in No. 12.

MEMORANDUM.

HIS EXCELLENCY THE GOVERNOR—

MINISTERS beg to transmit to his Excellency the Governor a copy of a vote of thanks to Commodore Sir Wm. Wiseman, Bart., and the officers, seamen, and marines of Her Majesty's ships under his command, passed unanimously by the House of Representatives on the 6th instant, and have the honour to request that his Excellency will cause it to be forwarded to the Admiralty.

Ministers take this opportunity of expressing their sense of the very great assistance which the Colonial Government has received from the Commodore and the several commanders of Her Majesty's ships on this station throughout the period of the Native disturbances, and which has largely contributed to restoring Her Majesty's authority and securing peace in the disturbed districts.

(Signed) E. W. STAFFORD.

Wellington, October 8, 1866.

EXTRACT from the Journals of the House of Representatives.

Saturday, October 6, 1866.

RESOLVED—

THAT on the occasion of the retirement of Sir Wm. Wiseman, Bart., from the command on the Australian naval station, the thanks of this House be given to Commodore Sir William Wiseman, Bart.,

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and the officers, seamen, and marines of Her Majesty's ships under his command, for the many important services rendered by them while employed on the coast of New Zealand.

(True extract.)

(Signed) F. E. CAMPBELL,
Clerk, H. of R.

No. 13.

No. 13.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 104.)

Government House, Wellington, October 15, 1866.
(Received, December 13, 1866.)
(Answered, No. 56, December 28, 1866, page 50.)

MY LORD,

Major Mac-Donnell to Captain Holt, 23 Sept. 1866.
Lieut. Bear to Major Mac-Donnell. 23 Sept. 1866.

I HAVE the honour to transmit for your Lordship's information copies of letters enclosing reports of the murder of a trooper of the Colonial forces by the Natives at Ketemarae.

2. I think the renewed boldness with which the rebel Natives acted in this and in other recent instances is in a great degree to be attributed to the attitude of inaction observed by the Imperial forces; and my power of taking any effective measures is completely paralysed by the recent orders from the Secretary of State for War directing the Major-General to reside at Auckland, 15 days' distance in point of time from myself and from the seat of the disturbances which are again breaking out.

3. There is no officer of Her Majesty's forces here with whom I can communicate. The local Government is doing the best it can under these circumstances, but the local forces, as well as the Imperial forces, are under the orders of the General, and the state of inaction caused by the instructions recently sent out, will, I fear, lead to serious results. I earnestly recommend that the General should be directed to reside at the seat of Government.

I have, &c.

The Right Hon. the Earl of Carnarvon,
&c. &c. &c.

(Signed) G. GREY.

Encl. 1 in No. 13.

Enclosure 1 in No. 13.

SIR,

Patea, September 23, 1866.

I HAVE the honour to enclose for the information of the Hon. Colonel Haultain the enclosed letter from Lieut. Bear, commanding the W. Y. C.

I have only just received the information contained therein. I will report more fully upon this unhappy occurrence directly I have ascertained full particulars.

The two other troopers who escaped by all accounts appear to have behaved in a most praiseworthy manner.

The dray and contents were, I understand, taken possession of by our men, and did not fall into the hands of the enemy.

Captain Smith disobeyed my strict orders in ordering such a small escort.

I have, &c.

Captain Holt,
Under Secretary, Defence Office.

(Signed) THOS. MCDONNELL, Major,
Commanding Colonial Forces, Patea District.

Encl. 2 in No. 13.

Enclosure 2 in No. 13.

SIR,

Hawera, September 23, 1866.

I HAVE the honour to inform you that an escort of three men of the W. Y. C. were sent in charge of a dray to Katemarae this morning, and when they had just passed the flax bushes they were surprised and fired on by a number of rebels. Trooper Haggerty and his horse were both shot dead, and Haggerty is fearfully mutilated. They also shot the leading horse of the dray, and rode the shafter away. There is also a man who had a pass to Katemarae missing.

I received a written order from Captain Smith, whom Captain Newland has placed under arrest.

I have, &c.

Major McDonnell,
Commanding Patea District.

(Signed) J. H. BEAR,
Lieut. Commanding W.Y.C.

No. 14.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 105.) Government House, Wellington, October 15, 1866.
(Received, December 13, 1866.)
(Answered, No. 56, December 28, 1866, page 50.)

MY LORD,

IN reply to Mr. Cardwell's Despatch, No. 66,* of the 25th of June, informing me that the Secretary of State for War had decided that the head-quarters of General Chute were not to be removed from Auckland to Wellington, I have the honour to report that I believe that this decision was come to upon erroneous information as to what I had asked to be done, and that I feel satisfied if it is adhered to serious disaster will probably be entailed on the Colony and a large expenditure on Great Britain.

* Vide Papers presented June 1866, page 134

2. The settlement of the affairs of a country in which a long and wide-spread rebellion has prevailed is always a matter of the greatest difficulty and nicety. Such a rebellion and the spirit of disaffection it has engendered die out by slow degrees; constant changes are taking place in the circumstances of different districts; outbreaks occur which if met with promptitude would be mere local disturbances, but which if neglected are likely to cause the flame of rebellion again to blaze up through a large extent of country. Almost hourly precautions require to be taken to prevent such disturbances from breaking out. Such is the actual state of New Zealand at the present moment in one district of the Province of Wellington, and it is essential that at such a time the Governor of the country should have constant communication with the chief military authority who also commands the local forces.

3. The Secretary of State for War has nevertheless instructed the General to maintain his head-quarters at Auckland, 15 days' distance in point of time from the Governor and the Government of the country, who, under such an arrangement, would lose all useful control even over their small local force which they are doing their utmost to raise and place in a state of efficiency. In fact the means of working out their own safety from their own resources is taken from them.

4. The failure of the General for many months to comply with my request that he would remove here has, I believe, been one main cause of delaying the settlement of the country, and has entailed an unnecessary expenditure upon Great Britain and most serious evils upon the Colony.

5. The sudden removal of so large a body of troops from a country circumstanced as this is, is a very critical operation. The withdrawal of every post held by the Imperial troops and the order in which this has to be done involves serious questions, as also does the determination of which of these posts are to be held by the local forces. It is impossible to conduct such a service satisfactorily whilst the principal military authority is at 15 days' distance from the Government, which has to receive a great part of its information from him and finally to give its instructions to him.

6. I earnestly hope, therefore, that the Secretary of State for War will alter the decision he has come to upon this subject, especially as the grounds on which he came to it, as set forth in General Chute's letter of the 7th of April and its enclosures, are in several respects erroneous, and more especially so in regard to the main statement, that I wished all the commissariat and military stores should be removed from Auckland to this place.

7. I shall do my best to make any orders given by Her Majesty's Government work as satisfactorily as possible, but I cannot recommend an adherence to an arrangement which I believe to be likely to be so disastrous a one to this Colony as that which it is now ordered should be carried out.

I have, &c.
(Signed) G. GREY.

The Right Hon. the Earl of Carnarvon,
&c. &c. &c.

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No. 15.

No. 15.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. the Earl of CARNARVON.

(Separate.)

Te Whenuku, November 2, 1866.
(Received, January 19, 1867.)
(Answered, No. 10, February 1, 1867, page 55.)

MY LORD,

I HAVE the honour to enclose for your information a copy of a letter which has, by direction of the Major-General Commanding been addressed to my private secretary, in relation to a memorandum I received from my Responsible Advisers, regarding the inaction maintained by H.M. Imperial troops in a disturbed district.

2. In transmitting this memorandum to the Major-General, which I thought it right he should see, I made no remark upon it, because I was unwilling to raise any discussion regarding it. But my opinion must have been known to the Major-General.

3. I believe Her Majesty has no more gallant officers and men than these now serving in New Zealand, but the operations of the military forces of all kinds are paralyzed by the absence of the head-quarters from the seat of government. Events of urgency occur from day to day which may render necessary constantly varying instructions to officers commanding different posts, which instructions can only be given through the General.

4. Having seen this country I believe that if vigorous measures had been followed up after General Chute's march through it, the entire country would have submitted in a period of two or three months, or less, and that the subsequent great expenditure entailed upon the Colony and Great Britain has been unnecessarily spent.

I have, &c.
(Signed) G. GREY.

The Right Hon. the Earl of Carnarvon,
&c. &c. &c.

Encl. in No. 15.

Enclosure in No. 15.

(No. 4872.)

SIR,

Head-Quarters, Auckland, October 24, 1866.

I HAVE the honour to acknowledge the receipt of your letter of the 15th instant, forwarding by desire of the Governor, and without any remark from his Excellency for the information of the Major-General Commanding, the copy of a Despatch addressed by Major McDonnell to the Minister for Colonial Defence, and also a Memorandum of the Colonial Ministers dated the 12th October 1866, commenting on the conduct of Her Majesty's troops in respect to the subject of Major McDonnell's report.

In reply I am desired by the Major-General to request you will be good enough to inform his Excellency that, although he is at all times most glad to receive and to attend to any communication of his Excellency's own directions, wishes, or opinions on any subject, he has no desire to be made acquainted with any opinions which the Colonial Ministers may entertain with respect to Her Majesty's troops which he has the honour to command. As however his Excellency has thought proper to make him acquainted with their opinion in this instance, the Major-General will submit to Her Majesty's Government, through the Secretary of State for War, a full explanation of the circumstances which have led to the officer commanding Her Majesty's troops being subjected to the receipt of such a communication.

I have, &c.
(Signed) GEO. DEAN PITT,
Lieut.-Col., Assistant Military Secretary.

The Private Secretary,
Government House, Wellington.

No. 16.

No. 16.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. the Earl of CARNARVON.

(Separate.)

Te Whenuku, November 2, 1866
(Received, January 19, 1867.)
(Answered, No. 4, January 31, 1867, page 51.)

MY LORD,

I HAVE the honour to transmit for your information a copy of a letter I addressed to Major Rocke, 18th Regiment, the senior officer of Her Majesty's Imperial forces in

this district, requesting him to take measures with the small force under his command to reduce to order some small tribes of Natives who had again taken up arms and were committing various outrages and exciting disturbances which were likely to spread into other parts of the country.

2. In the absence of the Major-General Commanding I was compelled to address this letter direct to Major Rocke, as it was essential that the existing disturbances should no longer go on unchecked, and he has complied with the requisition I addressed to him.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c.

(Signed) G. GREY.

Enclosure in No. 16.

Enc. in No. 16.

SIR, Waingongoro, October 24, 1866.

I HAVE the honour to acquaint you that the disturbed state of this immediate district is such that it is requisite to take steps to repress those Natives who still remain under arms and commit murders on Her Majesty's subjects. I request, therefore, that you will as soon as possible, with the force under your command, adopt means to subdue these armed Natives. In these operations the Colonial forces will in every way co-operate with you, which will consist of about 200 Europeans and 300 Natives.

I shall be on the spot to give you any information you may require.

I have, &c.

Major Rocke, 18th Royal Irish, Waingongoro.

(Signed) G. GREY.

No. 17.

No. 17.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. the Earl of CARNARVON.

(Separate.)

Te Whenuku, November 3, 1866.

(Received, January 19, 1867.)

(Answered, No. 5, February 1, 1867, page 51.)

MY LORD,

I HAVE the honour to transmit for your information the copy of a letter I have received from Major-General Chute, on the subject of his head-quarters remaining at Auckland. Auckland, 24 October 1866.

2. General Chute informs me that he has transmitted a copy of this letter to the Secretary of State for War, remarking, in reference to my request that he would under the serious aspect of affairs now prevailing in this country, reside near me, "that he is "unable to gather from my letter what useful object to the public service will be attained "by his absenting himself from the place where the usual and regular duties of his "command can be best conducted."

3. In answer to this I beg to enclose copies of letters which reached me the same evening, by the same mail as General Chute's letter herewith enclosed, from various parts of the Island. I believe when your Lordship has read these you will think it incredible that under such a state of things the general officer commanding here should be ordered to maintain his head-quarters at a distance in point of time of 15 days from the Government of the country.

Mr. Hamilton, R.M., Raglan, 13 Oct. 1866.
Mr. Whitaker, Auckland, 15 Oct. 1866.
Major Speedy, Waiuku, 18 Oct. 1866.
Mr. Booth, Upper Whanganui, 23 Oct. 1866.
Mr. Clarke, Tauranga, 25 Oct. 1866.
Mr. Mackay, 26 Oct. 1866.
Mr. Cooper, Napier, 29 Oct. 1866.

4. I have in vain represented that in a country settling down from rebellion, and from which a large military force is being withdrawn, the order of the removal of each separate detachment is a matter of the greatest nicety, requiring much thought, and that frequent changes in the state of the country may require a corresponding change in the intended removal of detachments, even at the last moment, and that it was essential that the General should be near me. A reference to my correspondence will show how earnest and repeated have been my statements to this effect to the Home Government and to General Chute. The evils I stated would arise if I was deprived of the assistance I needed have now, I fear, come. Some of them have already fallen on the Colony, and nothing but vigorous and united action can avert the others.

5. The Home Government has, unfortunately, from imperfect knowledge, sided in view with the Major-General. I shall, however, now require him to reside at the seat of

NEW ZEALAND.

Government until further orders are received from home, unless he is in the field; and at all risks I shall enforce this determination, but I believe that General Chute when he sees this Despatch and its enclosures will himself feel the necessity of rendering me that assistance he is so well capable of doing, and will earnestly and well support me in the crisis which has come. I think, however, that the General here should be told that in a country in a state of rebellion it is his duty in all instances in a conciliatory and proper spirit to comply with the lawful requisitions of the Governor, and not to raise factious or needless questions regarding the propriety of these; and even if he thinks it right to raise questions, to comply cheerfully in the first instance with the requisition, and then refer the question home, rather than contest a matter point by point, and refer it home, either not complying with the requisition or yielding it an imperfect, and therefore useless compliance, until an answer has been received. Above all things he should be instructed not to refer such questions home without affording me an opportunity of reporting on them by the same mail by which his letter goes.

6. The Home Government does not rightly appreciate the position of the military staff in this country. They become from many causes liable to identify themselves strongly with party questions, and the Secretary of State for War may, under the system of correspondence pursued with him, entirely without his own knowledge and in ignorance of the merits of the case, be made the head of a powerful party in this country, acting in direct opposition to the Governor and defeating his views on most vital points.

7. In the case under consideration the matter of the place where the General's head-quarters were to be located was referred to the Secretary of State for War without my having been informed that this had been done. But the editors of Auckland newspapers knew it, as also some of the reasons on which the General justified his non-compliance with my orders, and this knowledge was used for the purpose of attacks in the press here, and ultimately the Home Government came to a decision upon General Chute's letter to them before they had received any report from me on the subject, and entirely under a misapprehension that I had asked something to be done which had never entered into my imagination; and upon other grounds, some of which, after the difficulties which have arisen, it is painful to those acquainted with the country to read, such as that Wellington is unfitted to be the head-quarters from the dangerous navigation of Cook's Straits, and from the inexperience of Wellington merchants in taking military contracts. It is more disadvantageous than might at first be supposed that the Home Government should be hurried into a wrong decision upon such questions, for I have generally found that the departments at home before coming to a decision will carefully consider the evidence they then have before them, but that it is very difficult to get them to reconsider a subject or to reverse a decision once taken, however erroneous that decision may have been.

8. But this at least must be conceded, that a man governs a country under great disadvantages when officers in that country can write direct to Her Majesty's Government, without informing him that they have done so, on a most important subject regarding which they have differed with him in opinion, and have their own views peremptorily confirmed, and his set aside, without any report from him on the subject having been sent to Her Majesty's Government, or having been asked for, and this especially when one portion of the press in the country has been informed of the purport of the letters written to Her Majesty's Government.

9. The fact of editors of newspapers having been informed of the steps taken by the military authorities here shows that some of these authorities regarded it as a party or personal question. If persons who act thus can have their wishes pressed on the Secretary of State for War without the Governor knowing that this has been done, and the Secretary of State for War moves the Colonial Minister to issue orders in conformity with their wishes and in direct opposition to the views of the Governor, who has had no warning that the question has been referred home, then these gentlemen become really the hidden and irresponsible rulers of the country.

10. In reference to the statement made in the letter from General Chute herewith enclosed, that military operations against the disaffected natives in the Whanganui district had been placed in the hands of an officer of the Colonial forces without any reference to the General's control or authority, I would state that we are in the field here a small mixed force of Her Majesty's Imperial troops, Her Majesty's Colonial forces, and Natives, trying our utmost to extinguish a local rebellion which was rapidly spreading. How can we in moments of immediate peril appeal to the control or authority of a General more than 15 days' distance from us in time. The operations are under the direction of Major

Rocke, of the 18th Royal Irish, a good and promising officer, and are not under the direction of a colonial officer.

11. The fact is that the operations of the military forces of all kinds are paralysed by the absence of the General. Events of urgency occur from day to day, which render necessary constantly varying instructions to officers commanding different posts. These instructions the Governor can only give through the General; it is useless to attempt to do so through an officer at such a distance as it is proposed the General should be kept from me. I am certain your Lordship and the Secretary of State for War will feel this as strongly as I do when this Despatch and its enclosures have reached England. I also am sure that if the instructions I asked for are issued to the General no more such difficulties will take place. A great peril has again arisen in this country, I believe that it has probably taken General Chute by surprise, and I feel confident that he will now see how necessary it is his head-quarters should be near me, and that with the assistance I know he will give myself and the Colonial Government, the existing difficulties will be got through.

I have, &c.
(Signed) G. GREY.

The Right Hon. the Earl of Carnarvon,
&c. &c. &c.

Enclosure in No. 17.

Encl. in No. 17.

SIR, Head-Quarters, Auckland, October 24, 1866.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 15th instant, stating, that in your opinion it is essential, with reference to the state of affairs now prevailing near Whanganui, that the officer commanding the troops in New Zealand should be present at the seat of Government or in the vicinity of the disturbed country, and in reply I beg to inform your Excellency that I am proceeding to Whanganui by the first opportunity. I think it right, however, to state very decidedly my opinion that except your Excellency has really any instructions to give me with regard to any special employment of Her Majesty's troops, it is very inconvenient to the military service that I should for any lengthened period be absent from Auckland, where the military establishments are located, and where Her Majesty's Government have already decided that the military head-quarters should be stationed.

As I understood from your Excellency that the Whanganui country would in your belief settle down, and as the conduct of military operations against the disaffected Natives in that district has been placed in the hands of an officer of the Colonial forces without any reference to my control or authority, although Her Majesty's troops are occupying the district, I am unable to gather from your Excellency's letter under acknowledgment what useful object to the public service will be attained by my absenting myself from the place where the usual and regular duties of my command can be best conducted.

At the same time, in deference to your Excellency's opinion, I am proceeding to Whanganui and will remain there until either I receive instructions from your Excellency for the employment of Her Majesty's troops, or in the absence of such instructions until the calls of duty compel my return to Auckland.

It will be my duty to forward a copy of this correspondence to the Secretary of State for War.

I have, &c.
(Signed) T. CHUTE,
Major-General.

(No. 282.)

SIR, Resident Magistrates' Court, Raglan, October 13, 1866.

I HAVE the honour to enclose a letter and its translation just received from Honi Wetere, stating that a report has reached him that an European has been murdered at Hangatiki.

I have, &c.
(Signed) T. R. HAMILTON, R.M.

The Civil Commissioner,
Auckland.

Enclosure to above.

SIR,

INFORMATION has just reached me to the effect that a European has been killed at "Hangatiki." When I hear the facts of the case I will then write to you again.

(Signed) HONI WETERE,
Kawhia.

To Captain Hamilton.

(No. 569.)

SIR, Office of the Agent for the General Government, Auckland, October 15, 1866.

I HAVE the honour to forward enclosed, for the information of the Government, copies of letters received this day from Mr. Mainwaring, the resident magistrate at Whata Whata.

I have, &c.
(Signed) FRED. WHITAKER.

NEW ZEALAND.

Enclosure in above.

SIR, Alexandra, October 22, 1866.

I HAVE the honour to report for the information of your Honour that immediately on the conclusion of the business of the Native Land Court I proceeded to Te Awamutu to ascertain the truth of the report of the murder of a man named "Tom the Goat Eater." I had an interview with the man himself, who is in perfect safety at Te Awamutu; his name is Purdon, a deserter from the 65th Regiment, who has since purchased his discharge, and is employed by Mr. Allen, storekeeper at Te Awamutu, in purchasing cattle from the Natives.

It appears that the Natives at Orahiri headed by Tamati Ngapora have closed the road at that place to all parties, Europeans or friendly Natives.

It is also true that Anaru, who headed the Rebels at Waiapu, is now in this vicinity, together with Rewi and Kereopa and I have little doubt from a quantity of collateral evidence that their object is, if possible, to renew disturbances, not by erecting pahs, but to attempt to irritate the Europeans by attacking and murdering out-settlers. Several Europeans have informed me that the conduct of the semi-friendly Natives is daily becoming more and more threatening. I am now on my way to the Kopua, where I shall spend the night, and proceed to-morrow as far as I am allowed in the direction of Pawhenua, returning thence to Te Awamutu by way of Arai Kotou, where Patune Pontama's people are residing. I am glad to say that I found that the Kihi Kihi settlers, aware of the possibility of an outbreak, have voluntarily organized a party who nightly patrol the settlement from 2 a.m. till 4 a.m.

At Harapipi there are a large number of breech-loading carbines, revolvers, and ammunition stored in the block-house, which is only secured by a small padlock, and the Natives being aware of this fact I do not consider an attempt to possess themselves of those weapons improbable. There is now the detachment of the 1st Waikato regiment being removed, not even a constable to take charge of the building, and therefore I would urgently request your Honour to confirm the appointment of the man whom I recently recommended to you, if even only as a temporary measure.

As I am in great haste and away from home I trust your Honour will furnish me with a copy of this communication and also forward it for the information of Mr. Commissioner Macky.

A storekeeper has just informed me that a quantity of Natives visited his store this day and urged him to sell them arms and ammunition, offering most extravagant prices.

I have, &c.

His Honour the Superintendent, (Signed) R. C. MAINWARING.
Auckland.

SIR, Te Kopua, October 21, 1866.

WITH further reference to your telegram I have the honour to report for your information that on inquiry I find that at every station there are large quantities of arms and ammunition *entirely* unprotected. I know for a fact that the Natives are aware of this fact with reference to the block-house at Harapipi, and even if they could not effect an entrance there are numbers of Europeans who would not hesitate to assist them for a very small sum. Added to this, the population at Alexandra and Harapipi is daily decreasing, while that of the disaffected Natives is increasing in a larger proportion.

I have, &c.

His Honour the Superintendent, (Signed) R. C. MAINWARING.
Auckland.

SIR, Te Kopua, October 23, 1866.

I HAVE the honour to report for your information that I arrived at this post this evening for the purpose of gaining information as to the many reports current of the probability of an outbreak.

I found Takerei te Rau if possible more unwilling than ever to give me information, and the only one who appeared willing to do so was a Ngapuhi Native named Pene Tuaea.

From his statement it appears that there are a very large number of Natives at Orahiri, Kereopa, Tahahawaiki (two murderers), and also Reihana Taiporutu and a number of Waikato Natives who recently left Waikato.

Their story on arrival at Hangatiki was as follows:—They said Mr. Searancki, R.M., told them that the Government was about to fight and they must leave immediately to go as prisoners to Auckland. That consequently they went in their canoes over Waihari Lake, and when near the bank they saw the "Rangiriri" in full pursuit of them; they reached the bank first and the "Rangiriri" immediately stopped her engines and fired big guns at them.

It had also been reported to me that Ngatihikairo were anxious to have a portion of their land at Pirongia surveyed preparatory to bringing it before the Native Land Court. Takerei te Rau, acting as he said on behalf of the King, said that any surveyor who persisted in carrying out the survey would be killed.

I explained to him that the fact of the survey did not settle the ownership of the land, but after a long discussion on the subject he said abruptly "He, oi ano," "Enough, the survey will not be allowed, "the King has the influence." And this is the friendly chief whom the Government pay 50*l.* per annum.

I proceed at once to the places mentioned in my letter of yesterday's date.

I have to make the same request that your Honour will furnish me with a copy of this letter and also forward it to the Civil Commissioner on his arrival in Auckland.

I have, &c.

His Honour the Superintendent, (Signed) R. C. MAINWARING, R.M.
Auckland.

SIR, Resident Magistrate's Office, Waiuku, October 18, 1866.

I HAVE the honour to enclose a letter from Aihipene Kaihau (with translation), in which he mentions having received further intelligence from the King Natives of their hostile feeling to the

Government and the Europeans, and advises that we should be on our guard as there may be no further notice given before an onslaught is made on the Europeans in the outlying districts. These fears appear to exist very generally among the Waiuku Natives.

I have, &c.
(Signed) Jos. SPEEDY, R.M.

The Hon. the Native Minister,
Wellington.

Translation.

To THE GOVERNMENT, Tahurangatira, Waiuku, October 16, 1866.

FRIENDS. Salutations to you. A man from the Ngatimahuta (tribe) has come to me. This is his word. In a little time the rising will be at all places, viz., Hauraki, Tauranga, Waikato, Whanganui, Taranaki, Turanga, Whakatane, and the East Coast. All the doors of strife will be open, as the word of Tamati Ngapora has passed that he will not allow peace to be made, that it is only now he will be firm. His reason for acting thus is his anger at the perverseness of Tawhiao and Rewi in adhering to the war and refusing to make peace.

This is my advice to you O friends, be on your guard. Presently the days will be when an attack will be made by the Hauhaus; be wisely on your guard lest you suffer. My information to you is not what I have seen with mine eyes, but it was sent to me by a messenger. One word was spoken by Tawhiao advising me to go aside that the Europeans may be clear. I answered that messenger, I am not willing to leave them, I would rather die with my European friends. Do not be incredulous; although the time may be delayed their plans are settled, which they are concealing that the first intimation of it may be when the weapon has touched. I know it is correct that presently the rising will be.

From your friend,
(Signed) AIHEPENE KAIHAU.

SIR, Upper Whanganui, October 23, 1866.

I HAVE the honour to report that on Sunday morning last, in accordance with instructions received from his Excellency the Governor, I sent up messengers from Pipiriki to Maugaio with a letter inviting the Upper River chiefs and people to come as soon as they could collect together and meet his Excellency at Pipiriki.

In the evening the messengers returned, they report that in consequence of a letter received from Matutaera and Tamehana, Te Waharoa, almost all the Upper River chiefs and people have gone to Waikato.

From the tone of Tamehana's letter it is supposed by the Natives that there will be fighting again shortly in Waikato.

The Whanganui Natives who paid a friendly visit at Ranana in June last, together with Topia Topine and the other chiefs say that their object in visiting Waikato is to state before Matutaera and Tamehana their intention to give in their allegiance to the Queen.

I have further to report that this morning at daylight I sent off messengers to Taupo as instructed by his Excellency the Governor inviting the Taupo chiefs to Wanganui to meet his Excellency.

I have, &c.
(Signed) JAMES BOOTH, R.M.

W. Rolleston, Esq.,
Under Secretary, Native Office,
Wellington.

SIR, Civil Commissioner's Office, Tauranga, October 25, 1866.

IN obedience to the request contained in the latter part of your letter of the 6th inst., No. 727, I have the honour to report for the information of his Excellency's Government, the present state of the Bay of Plenty districts as far as I have been able to gather from different sources.

Various rumours have been in circulation, which for the most part I have treated as idle reports; but when I find that those reports have been confirmed by recent events at Napier, I am led to look upon them in a more serious light.

About a month ago I heard that the Natives were on the move for Napier, and that the destruction of the town was intended.

You will doubtless have heard that some of the Arawa, in an attempt to go overland to Cambridge for the purpose of advancing claims to land about to be investigated in the Native Lands Court, were prevented from crossing the "King's boundary line." They were threatened first by letter, afterwards in person. A second attempt was made by a different route with a like result. The Aranas were unarmed.

The "Kati" spoken of has not been established specially to prevent the Arana from being present at the Land Courts, but is a part of the policy established by the disaffected Natives to prevent information being brought out of their district.

Harawira, a young chief of some note, came to me last week and warned me not to allow any surveyor to go to the north side of Te Wairoa, as they would certainly be murdered.

He informs me that he had held personal communication with a party of Natives, headed by a Native named Popata of the Ngatiporou (East Cape). He states that Popata abruptly addressed him to the following effect, "Keep your ears listening and don't be startled if you hear great news." This led Harawira to question him closely. Popata stated that five of his companions were from Taranaki, that they had been sent to murder any surveyors they could find at work on any confiscated land.

In consequence of this information the Natives engaged in the surveying parties left their work.

This report has been confirmed by Hori Tupaea. Some time since the old chief promised me that if he heard anything of importance which he believed he would himself come and tell me.

Two days ago he informed me that he and the Natives on the north side of Tauranga had received a letter from the Ngatiporou who reside on the coast a little to the north of this district, requesting them to collect in one body and move out of the way as "IT was near."

NEW ZEALAND.

That since the receipt of that letter a deputation of Ngatiporou and Taranaki Natives had visited Moananins (of Tauranga) Kainga, to inquire whether any surveyors were at work. Hori Tupaea begged me not to allow surveyors to go anywhere on the north and west side of Te Wairoa.

Yesterday a native named Te Keepa Matu, living in the ranges near Katikati, called upon me to ask for a certificate to the effect that he had made a declaration of allegiance to the Queen 12 months before; when I asked him why he wanted the certificate, he replied, "I do not properly belong to this "district, I am a Ngatiwhatua (near Auckland), and I am not going to be put again in the same "position as I was at the breaking out of the war at Waikato; I went to Waikato to fetch my wife "and children, when I got there I could not get back again." I asked him whether he apprehended anything here, and from his replies I could see he knew more than he would reveal.

This is the position of matters in these districts. It is hard to tell what amount of truth is mixed up in these rumours. But without wishing to be an alarmist I believe there is some important movement in contemplation, in what shape it will develop itself, or where it will burst forth it is at present impossible to conjecture. The greatest vigilance will be required.

It has been stated that there are designs on foot against the Arawa, on account of the assistance they have rendered us. The Arawa are on the watch and will guard against surprise. They will not take any offensive steps to force the "Kati," without the sanction of the Government.

The Ngatiporou between this and the Thames district are a constant source of annoyance to this district, and the party under the immediate influence of the notorious Hakaraia cause the Arawa some anxiety. From the close proximity (only six miles) to Maketu on the coast a hostile force might easily be concentrated at that point without the least chance of discovery, and fall either upon Tauranga or Maketu with telling effect. I know of my own personal knowledge that Hakaraia has sent emissaries to Waikato.

The Government may rely upon my doing my utmost to preserve peace in these districts, and at the same time carefully watch the course of events with a view of guarding against surprise.

I have arranged to meet Dr. Nesbitt and Mr. Mair on the 30th inst. at Maketu to confer upon these subjects and to make arrangements about the distribution of food amongst the Arawa.

I have, &c.

The Hon. the Native Minister,
Wellington.

(Signed) H. T. CLARKE,
Civil Commissioner.

SIR, Steam Ship Queen, October 26, 1866.

I HAVE the honour to inform you that the friendly Natives in the seaward portion of the Thames district continue firm in their loyalty to the Crown, and are very well behaved in every respect at present; the ex-rebel portion of the population inhabiting the valley of the Thames, are in rather an uneasy state, they being all under the influence of Hauhauism, and also frequently visited by delegates either from Kawhia or Taranaki, which prevents them from settling down.

I understand that at the late meeting held at Onine Muri, a large number of Natives advocated peace, and others proposed war. Three war garments had been sent from Matutaera to Paraia and Te Hira, but they would not consent to a renewal of hostilities. A trustworthy Native who happened to be travelling through the district at the time was present at the meeting, and he supplied me with the accompanying sketch of the garments.

There was a large open air meeting in the daytime, and a secret one at night. I shall shortly be in possession of information respecting the secret meeting, only ex-rebels were present with one exception, and that was a Ngatimaru Native who was supposed to be friendly to the fugitive Waikato from having allowed them to settle on his land.

I have heard that Thompson even settled that "surveyors should be stopped at Tauranga, but not "injured, that their instruments should be taken away for a time and then returned to them." He also said "that the General Assembly had offered to return him all Waikato south of Ngaruawahia, "and he had refused this. They finally proposed to make Rangiriri the boundary, but he declined. "He had consented to take to the Mangatawhiri. He had, on leaving, told the Governor he would "fight."

Most absurd and exaggerated reports are in constant circulation at Auckland, respecting the movements of the Natives, which after being published and circulated are generally contradicted within a day or two. These, however, do no good and engender a spirit of mistrust and suspicion between the two races. I, however, believe that the Natives generally are not so well disposed as they were, and this is principally to be attributed to a renewed confidence in their own strength caused by the withdrawal of the troops. They have also an idea that it is the intention of the Government to renew hostilities at midsummer.

I this day saw a letter written by a Tuparoa native to the Nagiporou residing at Kennedy Bay and Mataora; the following is an extract from it:—

"A person will shortly go to fetch you. If you do not consent, you will not then know on what day "you will be taken by the Europeans, or by us friendly Natives. You will see by and bye. This is "another word, you ask———and———what took place when we went on board the steamer. The "captain asked me how many there were going with me. I said six persons. He then said if they "will not agree to come away, an application will be made to the Governor for a man-of-war to take "them prisoners," (this refers to Wikiriwhi Matehe's visit to Mataora, to induce the Ngatiporou to remove to the East Cape), "and the other heard this. Be cautious. In the summer will be the great "fight in the centre* of the island. The Europeans will not spare a remnant, all will be killed."

The Ngatiporou residing at Kennedy Bay made a similar statement to me on Saturday last (22). This I of course contradicted.

Several of the Natives who lately migrated from Waikato are now at Piako. They say they have no complaint against the Government. The Government gave them land, but the friendly Natives would not let them enjoy quiet occupation of it. They were constantly making claim to it. This I believe is untrue. Reihana Paiporutu and the Nganngan party have proceeded to Hangatiki.

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* This probably has originated from the report of a regiment about to be stationed at Taupo.

I am now on my way to Tauranga to assist Mr. Commissioner Clarke at a land meeting to be held at Motuhoa on Monday next. It is my intention to return to Auckland on the 4th November.

I have, &c.

The Under Secretary,
Native Department, Wellington.

(Signed) JAMES MACKAY, Jr.,
Civil Commissioner.

SIR, Napier, October 29, 1866.

SINCE the defeat of the projected attack upon this town by the destruction at Omarunui and Petane, on the 12th instant, of the Hauhaus detachments, by whom it was to have been perpetrated, and the subsequent pursuit of the fugitives to Tarawera, operations which have been fully reported to the Government by Mr. McLean and Lieut.-Col. Whitmore, nothing of any importance has occurred with respect to the Natives of this Province.

The result of those operations has been to prove that of whatever practical value the assistance of the local friendly Natives has been, and in many instances it has been considerable, their loyalty at all events is not to be questioned.

I have had many interviews with the prisoners since their capture, but find them very reticent. They all adhere firmly to the same story, that Panapa, the prophet, and Kipa, and Kingita, the fighting chief, all killed at Omarunui, kept the rest in the dark as to their intended movements, though it is pretty certain that two chiefs, Amare Paota, brother of Kipa, Kingita, and Rangihiroa, now gone to the Chatham island, and Nikora te Whakaurua, still in the gaol hospital here, were privy to all that went on; and I have extracted from these men and others, by cross-examination, confirmation of the following facts:—

1. The intention was to take the town of Napier by a bold and sudden night attack from the Petane side, to be carried out by the party under Te Rangihiroa, Paora Toki, and Aneru Matete, who were routed by Major Fraser on the 12th instant.

2. The Omarunui party were then either to gain over or annihilate the friendly tribes, and then devastate the homesteads in the neighbouring country.

3. Ngairo and Wi Hapi were to march on Porangahau and demolish the Queen Maoris and settlers in the southern end of the Province.

4. The Urewera were to undertake the re-conquest of the Wairoa and Poverty bay.

5. Waikato and Taupo were to come down afterwards, recruit their commissariat and their supplies of ammunition, and the next point of attack was next to be decided upon.

To carry out all these plans they were to be made invincible and invulnerable by their Atua; and so firmly did they believe this that they actually thought that *twelve men* would be sufficient to take Napier. At least, so I am told by some of the prisoners, though I had previously understood that the Hauhau term "Tekau ona rua" did not literally mean twelve, but was merely a name for the party who were told off for the attack, and might include 60 or 70, and this seems more probable. Be that as it may their notions have been pretty effectively dispelled at Omarunui and Petane.

With regard to the project of marching upon Porangahau from Wairarapa, I beg to state that being at the former settlement on the 13th (the day after Omarunui and before they had received the news), I was told by the leading chiefs there that they were in hourly expectation of the invasion. Since these rumours have been flying through the Provinces, sometimes to the effect that the Wairarapa detachment had actually arrived, sometimes that they were at this or that station on the road. Of course these have as yet all turned out false; indeed we were made aware on the 24th instant (when the rumours were at their highest) that the expected party had been in communication with the Honourable the Colonial Defence Minister, through a flag of truce, at Moiki in Wairarapa on the 22nd, still there remains the fact that the Porangahau Natives are, and have been expecting them daily for a fortnight, upon what they consider reliable authority; and the only question now is whether they are under present circumstances likely to come or not.

One of two reasons may operate to stop them, either they may be prevented from leaving Wairarapa as the Ngatihineuru were prevented from leaving Heretaruega, or supposing them to be still free agents, they may be deterred from their invasion of Hawke's bay by hearing of the reception of Ngatihineuru.

The latter hypothesis is possible but doubtful, I almost think unlikely, for their fanaticism is so great that they are sure to find some excuse for the defeat, either that Panapa misinterpreted the Atua's will, that Kipa disobeyed the King's orders, that the people disobeyed one or both of these leaders; some such excuse will be found to hoodwink their deluded followers.

I think, therefore, upon a careful review of the whole subject that if Ngairo and Kapi and their party get a fair start from Wairarapa, they will be heard of either at Porangahau or Ruataniwha, according to which road they may take. In this view I am supported by the Maori chiefs, and by the Rev. S. Williams, and other gentlemen in the Province best acquainted with Maori customs and habits of thought.

The fate of the parties encountered at Omarunui and Petane was as follows:—

Killed, Omarunui, 12th	21	
„ Petane, 12th	12	
„ Glengarry, a farm near Petane, on 13th	3	
Died from wounds	1	
		37
Prisoners, including wounded		77
Total killed and taken		114
Escaped, Omarunui	4	
„ Patane	10	
		14
Total		128

NEW ZEALAND.

The chiefs killed were:—Te Rangihiroa, principal chief of the Ngatihineuru, a savage of the old school, an inveterate enemy of the Pakeha, and the chief who introduced Hauhauism under a false pretext into Wairarapa last year. Kipa, and Kingita his half brother, both troublesome men of notoriously bad character, and Panapa, the high priest or prophet, a man of low extraction but clever and unscrupulous. Among the prisoners are Henare Paota, brother to Kipa and Kingita, and Nikora Te Whakaunua, both men hitherto of good character, and generally known as being very friendly and hospitable to travellers, both had been employed as gangers on the road when the track to Taupo was being improved by the Provincial Government.

The notorious Paora Toki and Anaru Matete (whose names must be already well known at the Native Office) escaped unhurt from the party attacked by Major Fraser, and fled precipitately to carry the news of their discomfiture to Taupo. It appears at first sight a pity that two such ruffians should have got off, but perhaps it may have a good effect in deterring their colleagues of other tribes from prosecuting their schemes of invasion, and so be the means of avoiding further bloodshed.

I have, &c.

The Native Secretary, Wellington. (Signed) G. S. COOPER.

No. 18.

No. 18.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. the Earl of CARNARVON.

(Separate.) Te Whenuku, November 5, 1866.

(Received, January 19, 1867.)

MY LORD, (Answered, No. 6, February 1, 1867, page 52.)

I HAVE the honour to transmit for your information copies of a correspondence between Major-General Chute and myself, regarding the withdrawal of the detachments of the 57th Regiment from the Waikato river.

2. It is unfortunate that the orders given by the Major-General have been issued at this moment, when danger seems threatening the Waikato Country.

3. The enclosed letter will show that the hostile upper Whanganui river chiefs and their followers have in a body quitted that river for Waikato. The Native chiefs here regard this movement as a very bad sign, and they think thus without any knowledge of the alarming reports I have received from the Waikato country.

4. To move the troops from Waikato at this moment might hurry on disturbances which might not otherwise take place. To let them stand fast for a few weeks, at all events, can do no serious harm.

5. I have, therefore, in the absence of the Major-General, issued the orders contained in the enclosed correspondence, directing them to stand fast.

* Page 13.

6. The letters enclosed in my Despatch of the 3rd inst.* show strongly the absolute necessity of the Major-General's usual head-quarters being at the seat of Government, where alone all information is received.

I have, &c.

Right Hon. the Earl of Carnarvon, (Signed) G. GREY.
&c. &c. &c.

Encl. in No. 18.

Enclosure in No. 18.

SIR, Government House Wellington, September 11, 1866.

IN reply to your letter of the 5th instant, and to the several questions you asked me when you gave me that letter, I have the honour to state,

That my Responsible Advisers inform me that it is not the intention of the Government of the New Zealand Islands to make provision for the payment of head money for any Imperial troops, but that a sum of more than 50,000*l.* will be devoted during the current year for the benefit of the Native population of New Zealand.

That if you really consider it necessary to garrison Auckland with two companies of regular troops, that then one company should be withdrawn from Waikato and one from Tauranga for the purpose.

That the redoubts at Patea, Manawapou, and Waingongoro which you intend to abandon being situated within the military settler's districts should not be destroyed.

I think that so soon as the 2/14th and head-quarters' wing of the 50th Regiment have quitted the Colony, the 57th Regiment should be sent home as you propose.

I have, &c.

The Hon. Maj.-Gen. Chute, (Signed) G. GREY.
&c. &c.

SIR, Head-Quarters, Auckland, October 25, 1866.

REFERRING to my letter of the 26th ultimo, No. $\frac{293}{66}$, in which I informed your Excellency that "in accordance with the instructions conveyed in the last paragraph of your Excellency's letter of the "11th September, I proposed on the 15th instant moving the 57th Regiment from the posts they "now occupy in Waikato into Auckland, preparatory to embarkation for England, and requesting that

" I might be informed whether it is your Excellency's desire that the several redoubts in that district " should be levelled."

I have the honour to report that, in the absence of any reply, I have given instructions for the gradual withdrawal of the 57th Regiment from the Waikato, and have directed that the redoubts being within the precincts of military settlements should not be destroyed, as directed in the case of the redoubts in the Whanganui district.

I have, &c.
(Signed) T. CHUTE,
Major-General.

SIR, The Camp " Te Whenuku," Ketemarae, November 5, 1866.

I HAVE the honour to acknowledge the receipt of your letter of the 25th ultimo, stating that in the absence of any reply to a letter you addressed to me on the 26th September upon the subject, you have given instructions for the gradual withdrawal of the 57th Regiment from the Waikato; and I have the honour, in consequence of very alarming reports which have just reached me from several parts of the country, to request that you will be good enough to allow the detachments of the 57th Regiment for the present to stand fast.

I have, &c.
(Signed) G. GREY.

The Hon. the Maj.-Gen. Chute,
&c, &c.
Head-Quarters.

SIR, The Camp " Te Whenuku," Ketemarae, November 5, 1866.

I HAVE the honour to enclose for your information a copy of a letter I have this day addressed to the Major-General Commanding, and I have to request that you will be good enough to act upon the instructions contained in it, until you hear further from the Major-General.

This is a case of great urgency.

I have, &c.
(Signed) G. GREY.

The Officer Commanding 57th Regiment,
Waikato.

SIR, The Camp " Te Whenuku," Ketemarae, November 5, 1866.

I HAVE the honour, by direction of his Excellency the Governor, to enclose for the information of the Major-General Commanding, a copy of a letter he has this day addressed to the officer commanding the 57th Regiment, and to state that in consequence of the absence of the Major-General, and of the want of information as to where he may at present be, his Excellency has felt it necessary in a case of great urgency to adopt this course.

I have, &c.
(Signed) FRED. THATCHER,
Private Secretary.

The Assistant Military Secretary,
&c. &c.
Head-Quarters.

MY DEAR SIR GEORGE, Ranana, October 23, 1866.

ON Sunday morning last I sent up messengers to Mangaio with a letter inviting all the Upper River chiefs and their tribes to come and meet your Excellency as soon as they could collect together.

In the evening the messengers returned to Pipiriki. They report that in consequence of a letter received from Matutaera and Tamehana te Waharoa almost all the Upper River chiefs, with their tribes, have gone to Waikato.

From the tone of Tamehana's letter it is supposed by the Natives that there will be fighting again shortly in Waikato.

Topia Tahana and the rest of the men who paid a friendly visit to Ranana in June last say that their object in going to Waikato is that they may inform Matutaera of their intention to give in their allegiance to the Queen.

The letter of invitation will be sent after the Natives to Waikato.

This morning at daybreak I sent off two messengers to the several chiefs at Taupo, inviting them to come here to meet your Excellency.

The messengers expect to be here about this day week.

I have, &c.
(Signed) JAMES BOOTH.

No. 19.

No. 19.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. the Earl of CARNARVON.

(Separate.) Te Whenuku, November 6, 1866.

(Received, January 19, 1867.)

(Acknowledged, No. 7, February 1, 1866, page 52.)

MY LORD,

SINCE I addressed your Lordship on the 3rd and 5th instant regarding the state of affairs in this country, I have received the enclosed letters from the Resident Magistrate of the Upper Whanganui, and from all the principal chiefs of Taupo.

Mr. Booth. 1 Nov. 1866.
Hare, Tauteka, and others. Hatepe, 21 Oct. 1866.

NEW ZEALAND.

2. These letters are very satisfactory, and the moment this part of New Zealand is again placed in a state of safety I will proceed to Taupo, the central district of this Island, and the very heart of what may be considered the peculiarly Native district of New Zealand. There can be no doubt that my entering that district as Governor will have a great effect upon the Native population of the entire Island, and it may possibly be the means of again reconciling the greater part of them to our race.

I have, &c.

Right Hon. the Earl of Carnarvon, &c. &c. &c.

(Signed) G. GREY.

Encl. 1 in No. 19.

Enclosure 1 in No. 19.

MY DEAR SIR GEORGE, Upper Wanganui, November 1, 1866.

THE messengers who were sent to Taupo on the 23rd ultimo have returned; they bring letters from the Taupo chiefs, which I have the honour to forward.

Topini te Mamaku has a guard with some of his own people, who are enraged with him for having given in his allegiance to the Queen, which they consider him to have done by coming to Ranana in June last.

This quarrel is merely local.

I have, &c.

(Signed) JAMES BOOTH.

Encl. 2 in No. 19.

Enclosure 2 in No. 19.

O, OUR FRIEND THE GOVERNOR, Te Hatepi, October 21, 1866.

WE salute you; very great is our affection for you. We have received a letter from Mr. Booth announcing your intention to visit Taupo. O, our friend! our hearts are rejoiced that you should intend to come here and visit us, and that your feet should again tread upon the soil of your own country Taupo. Come to us, then, O Governor! and bring with you your love to your children who dwell here in Taupo.

O, our friend the Governor! we intend to go to meet you on your road as far as Kariri: but bring with you also some chiefs of the Whanganui people to bring you on your road to Taupo, and return from hence.

From your affectionate friends,

HARI TAUTEKA.
TE HEU HEU.
KINGI HEREKIAKIA.
PAURINI KARAMU.
PAORA TE PAHUPAHU.
KEREHI TE HEU HEU.
HOHEPA TAMAMUTU.

Signed by us in the name of the whole population.

No. 20.

No. 20.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. the Earl of CARNARVON.

(Separate.) Te Whenuku, November 10, 1866.

(Received, January 19, 1867.)

MY LORD, (Acknowledged, No. 8, February 1, 1867, page 53.)

* Page 12.

ADVERTING to my Despatch marked "Separate"* of the 2nd instant, reporting that I had requested Major Rocke of the 18th Royal Irish to take measures for repressing the disturbances which prevailed in this part of New Zealand, I have the honour to report that the various movements have been perfectly successful, and that the Native chiefs who were in arms have either come in and submitted, or have fled from the district.

2. The enclosed copies of reports will furnish your Lordship with full information regarding the various steps taken for the punishment of those engaged in the outrages which had disturbed this part of the country.

3. Upon the whole I have now every hope that the Natives here or elsewhere will find it is not in their power to create any new disturbances of any importance in New Zealand.

I have, &c.

Right Hon. the Earl of Carnarvon, &c. &c. &c.

(Signed) G. GREY.

Enclosure 1 in No. 20.

MEMORANDUM.

THE Governor transmits to his Responsible Advisers copies of a correspondence between himself and Major-General Chute regarding the detention of the detachments of the 57th Regiment on the Waikato river. Encl. 1 in No. 20.

The Governor deemed it necessary to issue the instructions he has done upon this subject because all the Native chiefs he has seen regard the departure of the Upper Whanganui people and their chiefs for Waikato as a very bad sign.

Te Whenuku, November 5, 1866. (Signed) G. GREY.

Enclosure 2 in No. 20.

Encl. 2 in No. 20.

MEMORANDUM.

THE European and Native forces moved out this morning at 10 a.m., about 450 in all, to the villages of Pungarehu and Te Maru-o-te-Whenua, distant respectively about four and six miles from this camp.

These villages are on the western side of the Waingongoro river, and belong to the rebel chief Tamate One, sometimes called Tamate-o-Raukawa. He is now the only chief in arms on that side of Waingongoro, and many of his people have come in with Reihana and Kawetone. It was therefore desirable to crush him at once ; we should then have had no enemies on the other side of the Waingongoro, and on this side we should only have Ahitana and his party to deal with.

Pungarehu was the village recently successfully attacked by Major McDonnell, and Te Maru-o-te-Whenua was the neighbouring village from which such strong reinforcements poured out when Major McDonnell was retiring after his successful affair.

On entering Pungarehu a few Natives were seen, who immediately fled.

Te Maru-o-te-Whenua was one of the largest and strongest native villages I have ever seen ; it must have held at least 200 men, and nearly every house was fortified. The natives had recently abandoned it, fearing, I presume, that it would be attacked. It would have been a very strong position if they ever reoccupied it. Major Rocke therefore destroyed it. A few straggling shots from some lurkers in the forest were the only shots fired. The troops were back in camp by 5 p.m.

Te Whenuku, November 5, 1866. (Signed) G. GREY.

Enclosure 3 in No. 20.

Encl. 3 in No. 20.

MEMORANDUM.

THE Governor encloses a tracing which will show to Ministers our exact position at the present moment in relation to the population of this part of the country.

When Major McDonnell arrived here the Native population on the west bank of the Waingongoro river, from the sea to the Pa of Tapua, were all in arms against us, with the exception of a few people at the Pa of Kawae (the Pa nearest the sea) under a chief named Wirenue.

The whole country inland of Tapua was uninhabited and in a state of nature, and had not for many years been inhabited, except by small scattered parties of a few individuals who sometimes occupied temporarily favourite localities.

The main stronghold of Natives in arms was at Te Maru-o-te-Whenua. The principal chiefs they were under were Tamate One, Reihana, and Kawetone.

Since that date Reihana and his people have come in, and are located at the Kawae, the population of which place amounts now to about 90 souls.

Kawetone and his people have all come in, and are located at Mawhitiwhiti, the population of which now amounts to about 50 souls.

Te Maru-o-te-Whenua has been destroyed, and the remaining portion of its population have dispersed. Some have fled to the forests, some have joined Ahitana on this side of the Waingongoro, some under Tamate One have gone off in the direction of Warea.

There are thus practically no enemies now on the other side of the Waingongoro. The Government are making no surveys. The Native contingent, who are to be located on the east bank of the Waingongoro, are satisfied that they have nothing to fear from the people on the west side of the river. It is not, therefore, necessary at present to take any other steps in regard to that part of the country.

On this side of the Waingongoro there still remains a party under Ahitana who are in arms against us, and who must be dealt with. Ahitana is at Tiro Tiro Moana, and to-morrow we shall have a party located within about two miles of his position.

Te Whenuku, November 6, 1866. (Signed) G. GREY.

Enclosure 4 in No. 20.

Encl. 4 in No. 20.

MEMORANDUM.

IN a memorandum of the 6th instant Ministers were informed that all the Natives who had been in arms on the west side of the Waingongoro river had either come in or had been dispersed ; and that on the east bank of the Waingongoro there still remained a few Natives in arms against us, in addition to a party of considerable strength under a chief named Ahitana.

This chief occupied a very strong position on the hills in a dense forest ; the name of this place was Tiro Tiro Moana (sea view). Two roads led to it, each of them defended by a strong outpost. One of these outposts, Popoia, had been attacked and destroyed by the Imperial and Colonial Forces under Major Rocke.

NEW ZEALAND.

At 2 p.m. on the morning of Saturday the 3rd instant Major McDonnell marched to make an attempt to take Tiro Tiro Moana with the Colonial forces. Some skirmishes took place when they came within a mile or two of Tiro Tiro Moana. In this fighting our side lost one man, Hercules Economedes, a very daring, brave man. When our forces arrived before Tiro Tiro Moana, which they did late in the afternoon, they were exhausted by the march, and arrived before the place at a point where an attack would have been a matter of extreme difficulty. Major McDonnell therefore returned to camp.

On Wednesday the 7th I directed the Natives to attack Tiro Tiro Moana by the other road, by way of Puketi, which, from information I had received, I believed to be the proper and easiest line of attack.

They marched early in the morning. After some trifling skirmishing, they arrived before the place, which they found almost unoccupied, the main body having fled from it on the Saturday, after Major McDonnell had appeared before it, as they anticipated they would shortly be attacked in force. I enclose a copy of Capt. Kepa's account of his march.

The Native force took possession of Tiro Tiro Moana and destroyed it. I believe that the insurgent Natives under Ahitana have gone off to join the Ngatimaru on the Waitara river, and have quite left this part of New Zealand. We have searched in various directions, and can find no trace of them.

Three other chiefs, the only ones besides Ahitana on this east bank of the Waingongoro who had not submitted, have since come in. Their names are Taraipoia, Iraia, and Matiu.

This part of New Zealand is therefore now in a state of security; but the country near Warea still contains, I am told, one stronghold of rebel Natives. Where this is I cannot yet ascertain. It should be looked up from the side of Taranaki.

Te Whenuku, November 10, 1866. (Signed) G. GREY.

To MAJOR MCDONNELL. Te Whenuku, November 8, 1866.

WE started early in the morning of Wednesday, the 7th instant, the Native Militia under my command, its officers were Capt. Aperaniko, Lieuts. Wirihana, Poma, Toma, Peeti, and Aperahama. Its strength was 74 officers and men.

The Native levy also marched with their chiefs, Mete Kingi, Haimona, Kawana Paipai, and Paora Keta. Their strength in chiefs and men was 124. We marched to Puke Tarata. The sentries of the Hauhaus (who were posted on the tops of trees) saw us when we were at that place.

We then marched on to Omanaia; there we saw the footprints of the enemies. We still marched on for about a mile, when we were close to Tiro Tiro Moana.

I then broke up my men into two parties. The militia I sent off to the right of our march, but the Native levies continued on their march along the main road. The enemy twice opened fire on us, which we answered by our fire, rushing at the pa. The people in the pa fled from the place and we entered it. The enemy had only one man wounded; none of us were hit. We burnt the place and all its defences, destroying the potatoes. In the evening we again reached this camp.

From your friend,
(Signed) KEPA,
Capt. Native Militia.

SIR, Camp, Te Whenuku, near Retunarae, November 2, 1866.

I HAVE the honour to report that I arrived at this camp on the 27th ultimo, with the head-quarters, 2nd battalion, 18th Royal Irish, of the following strength, viz., 1 field officer, 3 captains, 8 subalterns, 2 staff, 15 serjeants, 285 rank and file, for the purpose of co-operating with the Colonial forces under Major McDonnell, in accordance with a letter addressed to me by his Excellency the Governor (a copy of which was forwarded for the Major-General's information), who is himself here present.

The rebel Natives more particularly alluded to, as I believe, in his Excellency's letter, were a section of the Ngatiruanui tribe, who occupied a village called Popoia, about two miles in the bush opposite to this encampment with other villages more remote.

It was determined that we should in the first instance dislodge them from Popoia, and with this view we left camp at 3 a.m. on the 28th ultimo, with a force as per margin. We entered the bush at the deserted village of Keteonetea, and having arrived near the spot where Popoia was supposed to be, and being still upon the forest track, fire was suddenly opened on our front, and the Native contingent, who were leading, came to a halt.

—	F. O.	Capts.	Subs.	Serjts.	R. & F.
Dismounted W.Y.C. -	—	—	1	—	9
T.M. Settlers - -	—	—	1	1	16
Patea and W. Rangers	—	1	2	1	21
18th R.I. - - -	1	3	8	15	230

Native Contingent, 68.

The party in advance of the column, composed of 30 men 18th R. I., under Ensign Pringle, pushed on, closely followed by the dismounted Wanganui Y. Cavalry and Taranaki military settlers.

Formidable as the barricade appeared, it was most gallantly taken by Ensign Pringle and those with him, and by the dawning light the enemy were seen to fly precipitately, leaving one dead and two wounded, who escaped with difficulty.

Great skill was exhibited by the enemy in the construction of this outwork; it protected the approach to the village, and rendered their own escape easy. I regret that I have to report the loss of one trooper, W. Y. C., who fell in front, mortally wounded, and has since died; but indeed I can only ascribe our comparative immunity to the dashing way in which the leading files with Ensign Pringle advanced.

Upon entering the village of Popoia, which lay a little to the left, we found it abandoned, and having burned it we returned to camp by two routes, part proceeding through the bush, and passing through the Ketemarae clearing, and part by the route we came.

I should wish to express my thanks to Capt. Newland, Patea F. Rangers, who was in command of the Colonial Forces, for the assistance he rendered me throughout the day, Major McDonnell being unfortunately detained in camp, through a badly sprained ankle.

This portion of the rebels have now fallen back upon Tiro Tiro Moana, a position still more remote, and with difficulties of access such as will make it, I believe, inexpedient to approach with the Imperial troops if it can be avoided. His Excellency, however, has taken the precaution to have the Native Contingent increased by 150 kupapas from Wanganui and Rangitikei, who will most probably be able to drive them from this position without the active aid of the troops.

I beg to forward for the Major-General a chart of the district, furnished to me from the Surveyor's Department by order of his Excellency.

I have, &c.

The Deputy Quartermaster-General,
Head Quarters, Auckland.

(Signed) J. H. ROCKE, Major 18th Regt.,
Commanding Field Forces.

P.S. I should not omit to mention that the Rev. J. McSweeney, R.C.C., and the Rev. J. Collins are with the field force, and that they accompanied the expedition on 28th ult.

(Signed) J. H. ROCKE, Major.

Camp, Te Whenuku, near Ketemarae, New Zealand,
Nov. 6, 1866.

SIR,

I HAVE the honour to report that the field force under my command marched yesterday across the Waingongoro river with a view of operating against the chief Tamati O Raukawa, who was supposed to be in the village of Te Maru-o-te-Whenua with a considerable following. The position of this village is shown in the chart which accompanied my letter of the 2nd instant. We passed through Pungarehu, also belonging to this chief, which was partially destroyed by Major McDonnell in his attack upon it (a report of which was forwarded to the Major-General), and after a toilsome march of four hours, which his Excellency the Governor himself accompanied, we reached Te Maru-o-te-Whenna. The clearing is considerable, in the midst of dense forest, is perfectly crowded with whares, and, judging from appearances, it had been abandoned for two or three days. As the whares had been mostly rendered bullet proof, and the position a very difficult one to have taken, we burned the village to prevent its re-occupation.

As a report on the general state of the district will now probably be of interest to the Major-General commanding in New Zealand, I beg to submit the following.

In the Patea district, and extending to Wanganui, there is now but a small section of armed Natives who have not surrendered. These at present occupy the village Tiro Tiro Moana, which I have already described as difficult of access, and remote in the forest. The two known paths into this bush, one at Keteonetea, and the other through Ketemarae, are held by encampments of the Colonial forces, the camp at Hawera being now abandoned, and the force moved to Keteonetea.

The Native Contingent, under Major McDonnell, having been reinforced by 150 kupapas from Rangitikei, are commencing immediate operations against Tiro Tiro Moana, and their object will probably be effected without material aid from the Imperial troops.

The Meri Meri Natives and those at Mauntohi having surrendered, I consider that the Patea district if not absolutely peaceful is open and quite ready for military settlements.

Across the river Waingongoro, and reaching as far as Mount Egmont, are the following Native villages and their chiefs:—Kawae and Kaipokonui, and one or two Kiangas on the coast, belonging to Reihana, whose younger brother Wiremu Manaia, having remained faithful to us throughout the war has been permitted to occupy Kawae.

Pungarehu and Te Maru-o-te-Whenua, villages belonging to Tamate o Roukawa and Mowhitiwhiti and Papua, villages of Kewetone. And these are all the known settlements from the right bank of the Waingongoro river to Mount Egmont.

On the 27th October his Excellency received the submission of Reihana, who came into camp at Waingongoro with all his followers. This was followed by the submission of Kewetone, whom his Excellency temporarily located at Tapua, under the protection of a white flag. The only chief who stood out was Tamate O Raukawa, with a following supposed to be between 150 and 200 armed men. His villages Pungauhu and Te Maru-o-te-Whenua having been burned and his followers dispersed, part joining the disaffected at Tiro Tiro Moana, some scattering through the bush, and the remainder retreating with Tamate to the neighbourhood of Warea.

The Major-General will be aware how essentially the energy displayed by Major McDonnell, since his arrival with the Colonial force, has contributed to the favourable state of the district. Few know the extent of his services here (or those of his brother Captain McDonnell, who was dangerously wounded in a recent expedition against the enemy), and of the great difficulty he has had to contend against, arising from an insufficient force constantly decreasing.

The Major-General will also fully appreciate the advantages I have derived in the present operations from the actual presence of his Excellency the Governor.

Owing to this the Mere Mere Natives, upon this side the river Wanigongoro, submitted without giving further trouble. Whilst upon the opposite bank we were spared serious operations through a very difficult country, by the submission of the chiefs Reihana and Kewetone.

I have enjoyed full scope of action, whilst his Excellency has caused information to be given, both as regards the Natives and the different localities, which it would have been impossible otherwise for me to have acquired.

I have, &c.

The Deputy Quartermaster-General,
&c. &c.

(Signed) J. H. ROCKE,
Major 2/18th Regt., Commanding Patea District.

Camp, Te Whenuku, November 9, 1866.

SIR,

I HAVE the honour to report for the information of the Major-General Commanding in New Zealand, that the village of Tiro Tiro Moana was visited on the 7th instant by an expedition composed of the Native contingent and kupapos of this force, and found to be deserted.

NEW ZEALAND.

The Native rebellion on the west coast from Mount Egmont to Wan ui is therefore at an end, and in that space there are no hostile Natives remaining.

The detachments 2/18th drawn from Manawapou and Waingongoro have returned to their posts, and I await instructions from his Excellency the Governor, who is still here, to return to Patea with head quarters 2/18th Regiment.

I have, &c.
(Signed) J. H. ROCKE,
Major 2/18th Regt., Commanding Patea District.

The Deputy Quartermaster-General,
&c. &c.

No. 21.

No. 21.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 106.)

Te Whenuku, November 10, 1866.
(Received February 1, 1867.)
(Answered, No. 14, February 25, 1867, page 62.)

MY LORD,

OWING to my absence from the seat of Government in this disturbed part of the country, I have not received the official copies of the letters which contain reports of an engagement which took place between Her Majesty's Colonial forces and the rebel Natives on the 12th ultimo.

2. A copy of the Government Gazette of the 26th ultimo having reached me, I lose no time in transmitting it for your Lordship's information.

3. From it you will gather that a body of armed Natives came down into the district of Napier, the population of which consists of persons engaged in agricultural and pastoral pursuits, upon whom a small body of armed rebels, unless immediately checked, might have inflicted the most ruinous injury. This body of Natives, composed of Hau-hau fanatics, it now appears intended to have attacked the town of Napier.

4. Your Lordship will however find that his Honour, D. McLean, the Superintendent of the Province, ordered operations to be undertaken by the local forces, under the command of Lieut.-Col. Whitmore, which were most ably and gallantly carried out by that officer and the officers and men under his command, and resulted in the most complete success, and that the Province of Napier is consequently again in a state of security.

I have, &c.
(Signed) G. GREY.

Right Hon. the Earl of Carnarvon,
&c &c. &c.

Encl. in No. 21.

Enclosure in No. 21.

Colonial Secretary's Office, Wellington, October 25, 1866.

THE following correspondence respecting the recent engagements between the militia and volunteers and the rebel Hau Haus at Omaranui and Petane, in the Province of Hawke's Bay, is published for general information.

(Signed) E. W. STAFFORD.

(No. 328.)

SIR,

Colonial Secretary's Office, Wellington, October 17, 1866.

THE Government has received intelligence of the successful result of the engagement which took place on the 12th instant, between a force composed of militia and volunteers from Napier, and of friendly Natives in the vicinity, and a body of armed rebel Hau Haus who had encamped at Omaranui, threatening the safety of the town, plundering the settlers and the resident Natives, and refusing to give any satisfactory explanation of their intentions.

The Government earnestly trusts that the energy and gallantry displayed by the Colonial forces under the direction of your Honour and the officer commanding the militia and volunteers, and the vigorous measures taken for the suppression of the first symptoms of armed insurrection, will have the desired effect of at once restoring and securing peace and safety throughout the Napier district.

The promptitude shown by your Honour in the organization of the necessary measures for the expulsion of these armed fanatics, and the patriotic courage of the Colonial forces under the command of Lieut.-Colonel Whitmore, deserve high praise; and although the Government has not yet received any official account of the engagement, I have to request your Honour to be good enough to communicate to Lieut.-Colonel Whitmore, and to those who served under him, the thanks of the Government for their conduct on the occasion referred to, and its sympathy with those who were wounded, and with the survivors of those (fortunately so few) who were killed by the enemy.

I have, &c.
(Signed) E. W. STAFFORD.

His Honour D. McLean, Napier.

SIR,

Napier, October 15, 1866.

IN continuation of my report to you of the 9th instant, I have now the honour to state that the preparatory measures then contemplated have been carried into effect.

On Thursday the 11th instant Major Fraser arrived from the Wairoa with forty rank and file of the Military Settlers, accompanied by the chiefs Kopu and Ihaka Whaanga with thirty of their followers.

The same afternoon Lieutenant-Colonel Whitmore, who was in town waiting for orders, had the forces under his command marched at midnight towards the several positions to be assigned to them, as detailed in his full and explanatory despatch herewith enclosed.

I may be permitted to state that the zeal, alacrity, and high spirit displayed by all classes of the European inhabitants during a time of imminent danger, reflects the greatest credit upon the community, who as loyal subjects were prepared and resolved to uphold Her Majesty's lawful authority within the district.

Almost simultaneously with the movement of the European forces, the friendly Natives of Pawhakairo were communicated with by Mr. Locke, a gentleman who justly possesses great influence with them. The several chiefs and their followers were, with Mr. Locke, at their positions by daylight—having failed in every effort used to bring about a settlement of impending hostilities.

I addressed a letter to the insurgent Natives at Omaranui, the translation of which is herewith enclosed, having previously, in order if possible to avert bloodshed, requested Lieutenant-Colonel Whitmore to surround the enemy's position with a large force, in the hope that this might be the means of inducing unconditional surrender without recourse to arms.

In this expectation I was however disappointed, and after granting a further extension of three-quarters of an hour beyond the time stipulated in my letter sent by Mr. Interpreter Hamlin to the enemy, the white flag was hauled down, the union jack hoisted, and the forces advanced to the several positions assigned to them by the officer commanding.

The engagement which then took place is so ably described by Lieutenant-Colonel Whitmore, that without any addition of mine the Government can gather the fullest information in reference to it from that gallant officer's despatch.

I herewith enclose plans of the enemy's position at Omaranui.

Almost at the same time that military operations were taking place at Omaranui, Major Fraser's small force of Military Settlers, ably seconded by Captain Carr, of the R.A., and some Volunteers became engaged at Petane, with the Rangihiroa, the head chief of Tarawera, a most turbulent and dangerous man, who took a prominent part in promoting the Hau Hau faith at Wairarapa and elsewhere.

This chief and eleven of his followers were killed.

The loss sustained by the enemy in both engagements is 33 killed and 29 wounded, and 47 taken as prisoners.

The casualties of the combined forces of Europeans and Natives have been one European and two Maoris killed, and one officer (Captain Kennedy), eight Europeans and four Maoris wounded.

I herewith enclose Major Fraser's despatch, addressed to Lieutenant-Colonel Whitmore, reporting the spirited engagement that took place under that gallant officer's command at Petane.

I should fail in my duty to Lieutenant-Colonel Whitmore and the officers and men of both races under his command, if I did not represent to the Government how strongly I feel that services so cheerfully rendered and so ably carried out are deserving of some marked public recognition on the part of his Excellency's Government.

I feel assured that the result of such successes as those of last Friday will exercise such an influence throughout this Island as must tend to neutralize the designs that are being matured by the Hau Hau fanatics for the extirpation of the Europeans and friendly Natives.

The enclosed copy of a letter from the Rev. S. Williams shows that an attack on the town of Napier had been planned by Panapa and Rangihiroa. It is also stated by the prisoners that the attack was to have been made in three days.

I have also to report that an expedition has been started this morning to follow up Paira Toki, Anaru Matete and others, to Titiokura, composed of seventy volunteers, under Lieutenant-Colonel Whitmore, the Military Settlers under Major Fraser, and about one hundred of the Natives of the district, with Ihaka and Kopu's followers from the Wairoa.

The capture of Paora Toki, who is a most badly disposed Native, would be of great importance.

The instructions to Lieutenant-Colonel Whitmore are herewith enclosed.

I should recommend that the prisoners taken should be sent to the Chatham Islands, and that the Government should be prepared to meet any future emergency that may arise in this district, and that a supply of arms and ammunition should be sent without delay in a Government steamer, to be retained on this coast during the present unsettled state, and while the Natives are concocting plans in the interior for a combined movement on this district.

I have, &c.
(Signed) DONALD MCLEAN.

Sub-Enclosure 1 in No. 21.

Sub-Encl. 1 in No. 21.

SIR, Napier, October 13, 1866.

I HAVE the honour to inform your Honour that in conformity with the arrangements made with you on the evening of the 11th instant, I caused the Napier militia and volunteers, number as per margin,* to be paraded about midnight, and to march by various routes to the vicinity of the Omaranui pa. Although the time was scarcely more than requisite to traverse the distance, all the bodies placed under my command, whether European or Native, were at the posts I assigned to them as day broke. I had erected a flagstaff during the night opposite the pa on which at daylight I hoisted a white flag. I then sent Mr. Hamlin, my interpreter, across the Tataekuri to the pa, which is as you are aware, situated on its banks, with the letter you had prepared to serve as an ultimatum. For some time the Natives took no notice of Mr. Hamlin, but ultimately they

* Europeans—strength, armed men.

	Officers.	N.C.O.	R. and F.
No. 1, Militia	3	2	38
No. 2, "	3	2	38
No. 3, "	2	1	17
No. 4, "	2	2	44
Napier Volunteers	3	2	43
Cavalry Volunteers	1	1	24
	14	10	204
Deduct guards canoes	—	—	13
	14	10	191
" " ammunition	—	—	12
	14	10	179

Natives—nearly 200, of whom 70 were on the hills.

received his letter, and he returned to me. By your letter the Hau Haus were promised that they should not be molested for one hour, after which they would be attacked if they did not lay down their arms. In reply they told Mr. Hamlin they thought the time rather short, but did not lead him to suppose that if it was prolonged it might influence their conduct. By this time it was six o'clock a.m., and you had reached the field, and had learned the result of the letter; you then informed me that you did not wish to disturb any part of our plans, but that you trusted I would endeavour to carry out the service with as little bloodshed as possible. I therefore waited for three-quarters of an hour beyond the time at first granted, and the force advanced closer to the position.

At seven o'clock, two hours after I had sent the letter, I sent Mr. Hamlin once more forward, with a small white flag on a pole, to inform the Hau Haus that I would wait no longer. They replied that there was no reason to do so, as they meant to fight. By this time the force very nearly surrounded the pa. The cavalry volunteers, enrolled the previous evening, had been despatched to seize the canoes at Park's Island, believed to have been intended to enable the Hau Haus to escape, or to cross the harbour to attack Napier. Captain Gordon was thus prevented from joining me at Omaranui till a later period ; and to fill the place intended for the cavalry, I was obliged to avail myself of the detachment of No. 3 Company, which Captain Rhodes had with so much zeal brought up from Clive and Havelock on horseback. I also was obliged to make a further slight change of plan, and posted Captain Buchanan's company of rifle volunteers and Mr. Brown's section of militia about 500 yards up stream of the pa, under cover of a ditch and bank fence. The Native Contingent, under Tareha, Hapuku, Ihaka, Kopu, Renata, and Karaiteana, and directed by Mr. Locke, occupied the edges of the swamp and outside of the cultivations, at a distance of several hundred yards, opposite the dray entrance. I formed the Napier militia, Nos. 1 and 2 Companies, and a part of No. 4 Company into open column. This part of the force was placed under Major Lambert, and I gave the signal to advance and to hoist the union jack at the flagstaff from this point. On sounding the advance, Major Lambert moved steadily forward and gained the top of the river bank, where he at once came into collision with the enemy. I found the Hau Haus drawn up and armed, and myself ordered the leading files to fire. We then received their fire and returned it, penetrating the outer courts of the pa. At this moment part of the Native Contingent which had approached the pa also entered the outer parts, and coming unexpectedly under fire, moved to the right in some disorder to take shelter under the river bank. Their movement disordered our militia, and finding our men entangled with the Natives, I ordered them to take cover under that part of the bank which commanded all the ground we had taken. It was just now that Captain Kennedy, commanding No. 2 Company, was wounded; and finding him apparently determined to remain with his men in that condition, I ordered him to leave the field, and Lieutenant Wilson took command of the company. A very hot fire was now kept up for a quarter of an hour, and the friendly Natives joined our men and gradually pushed back the enemy, who abandoned the huts and took shelter in a hollow roadway near the further end of the pa, where he found complete shelter. Finding I could not easily dislodge them from this without unnecessary loss, I now sent orders by Mr. Hamlin to the Napier volunteers to advance on the pa by the river. The fire from the main body was then stopped to enable the volunteers to leave the shelter of the bank which protected them from our cross fire ; but as it slackened Captain Buchanan drew out his company and gained the river bed. At first so exposed were the enemy to this new advance that the volunteers mistook the men for friendly Natives and withheld their fire, but at length being perceived and fired upon themselves by the enemy, the volunteers opened fire and quickly drove him out of his position. Major Lambert thereupon moved up the bank and drove the Natives into the last of the several courtyards into which the pa was subdivided. Many of the friendly Maoris, notably Takeha, now moved up also, and in a few moments the last stronghold would have been carried by assault had the enemy not at this moment displayed the white flag. After some time in making his surrender known and stopping the fire, I called to the chief man to advance and lay down his arms. This having been done he assembled the survivors of his party, whom I placed under charge of Tareha. Meanwhile a party, unperceived by me, had quitted the pa and had come into collision with the detachment of No. 3 Company, which had taken up the ground vacated by Captain Buchanan and Mr. Brown. Captain Rhodes met this party in a spirited manner, and delayed it for some time, but being unable to get his horses through the fence, was prevented from arresting the flight. I now reached the spot, and fortunately receiving intelligence of the arrival of the cavalry, I sent for Captain Gordon and his men. Mr. Ferguson of No. 3 Company, in gallantly endeavouring to delay the fugitives, had his horse shot under him. Captain Gordon overtook the fugitives before they gained the summit of the hills, where his leading files assailed them with their sabres (the only arm I had to give them), and they surrendered after some resistance ; a few straggling Hau Haus escaped. The number at present is unknown ; one, however, was taken this morning, and another was found dead, so that according to the prisoners' account nine only remain unaccounted for, of whom some may be dead in the adjoining swamp, where they were heavily fired upon.

In this action, which lasted nearly an hour and a half, which was maintained with the greatest gallantry by our forces, and an obstinate bravery, possibly stimulated by fanaticism, on the part of the enemy, I have to regret the loss of one man of the Colonial forces and two of the Native Volunteer Contingent, among the former one officer, Captain Kennedy, and eight men, of the latter four Maoris were wounded. The exact number of the enemy's casualties I do not yet know, but 23 have been buried and at least as many are now wounded in our hospital. The prisoners amount to 76, and of these two are chiefs of secondary rank, Nikora and Henare, while Kipa, the head chief, Panapa the prophet, and Kingita a notorious character, are killed. The enemy had the advantage of position and cover to compensate him for a disparity more apparent than real of number. The militia and volunteers turned out 204 rank and file, being every resident between the ages prescribed for the first and second classes for whom on such short notice arms could be obtained. But out of this number I had to furnish a guard of 13 men for the canoes, and another for the reserve ammunition, so that there were not more than 180 actually engaged. None or almost none of these men had ever been before in action, yet they marched in excellent order straight into the pa, and though borne on one side by the Native Contingent they never again allowed the enemy to re-occupy that part of the pa they had at first taken, and gradually gaining ground under a very hot fire eventually hemmed him in a space of a very few square

yards of ground. Only a part of the European force was employed in attacking the pa in front It is true the reserve and volunteers made a flank movement which materially affected the result, but at no time were there more than 100 men about the pa itself in actual collision with the Natives. It may be out of place to remark, but I pray your indulgence in doing so, that the manner in which all ranks turned out was beyond all praise, and proves the high spirit and determination to support the law which animates our settlers. At seven p.m. on the 11th, I assembled the officers for the first time, and told them of the intended expedition, explaining what duties and posts were assigned to them, and the hour at which I wished them to parade. The men, who had done their usual day's work, were summoned to march that night quite unexpectedly, and the last left this town at midnight with scarcely an absentee, and leaving no stragglers on the road. They then marched nine miles to the ground, fought the action, and returned to Napier in capital order, carrying their wounded with them. These were not trained soldiers, but civilians from the town, who left their shops and their work at a short notice during the night, and countrymen who left their homes with just enough warning to dress and reach the rendezvous. Captain Rhodes's company from Havelock and Clive, unable to march on foot so great a distance in the time, was represented by upwards of half, who voluntarily obtained horses and rode to the ground. So high a spirit made success certain, and could only have resulted from the firm determination of the settlers of this Province to put an end to a state of things which of all others is most repugnant to an Englishman's feelings of submission to and respect for good order and the law of the land. I must not omit to bring to the especial notice of the Government the assistance afforded me by the officers of all ranks. To have assembled their men from every part of this scattered town and from their farms in the suburban lands during the night in a couple of hours, was, notwithstanding the willingness of the men, most creditable to the zeal of the officers, commissioned and non-commissioned. Failing enough arms, I authorized Captain Gordon, late of the Inniskilling Dragoons, to raise a party of horse, armed with swords alone, from the unarmed men, and six more unarmed men in each company marched with us to the ground to carry the wounded and to bring up ammunition if required. The Natives had still less warning than the Europeans, but they turned out at once, and reached their posts in time. A large section was not brought under fire, but prevented the enemy's retreat on one side. Another, under the leading chiefs, did join our men. Perhaps my inexperience of their mode of warfare may have placed them at disadvantage, but they did not materially add to our strength. Nevertheless many individual acts of gallantry were performed by them under my own observation. The chiefs Tareha, Renata, Ihaka, Kopu, distinguished themselves highly, but the two first named were conspicuous throughout action, endeavouring to induce their followers to charge. Tareha, with a sword alone in his hand, rushed among the enemy to stimulate his men. Happily no harm reached him, and a valuable ally is spared to the Europeans of this Province. Although I may have failed to afford a fair field for these Natives to fight with the gallantry which I believe they possess, their prompt assistance has been most valuable. It has shown both the genuine nature of their professed friendship, for they lost several wounded and two killed in supporting us ; it adds one proof more to the many we possess of the justness of our view of the question at issue with the Haus Haus, and it enabled us to prevent almost entirely the escape of the defenders of the pa. Mr. Locke, to whom the Natives were intrusted, exerted himself with so much gallantry and zeal as to deserve my warmest thanks. Among our fellow-settlers of all ranks, many conducted themselves in such a manner as to merit any distinction the Government can bestow. I shall be very happy to designate them for such a purpose, but here I think it would be invidious to do so. I shall therefore confine myself to remarking, that but for their willingness and cheerfulness the operation could not have been carried out at all, and to stating that I did not see one solitary case of misbehaviour throughout the affair.

While these operations were being brought to a close, another part of the general plan was being carried out by the gallant Major Fraser, who has so often led our fellow-settlers to success. It was arranged that Major Fraser should pass over the harbour-mouth and march to Petane, to intercept any fugitives from Omaranui, and to prevent reinforcements coming up by that route. The smart little affair which followed is so well described by Major Fraser that I cannot do better than forward his despatch to you with this, trusting that you will recognize the behaviour of the officers whom he names.

Later on in the day, after attending the Native meeting with your Honour, at Pa Whakairo, to concert further operations to complete the discomfiture of the survivors of the Haus Haus in their especial part of this Province, and after revisiting my own home, where I had assembled a small body of volunteers to hold one of the roads to Titiokura, I rode across to Petane, reaching Major Fraser in the night. Finding that he was not likely to be immediately assailed, and therefore not in want of reinforcements, I returned this morning to Napier. I cannot conclude this despatch without expressing the obligation I feel I am under to the following officers for the zealous assistance rendered to me by them, which made my task a light one:—

Major Lambert, commanding the main body of militia, whose gallant example was most valuable and conspicuous.

Major Fraser, whose co-operation prevented the Haus Haus from again establishing themselves in this part of the country.

Capt. Kennedy, who was severely wounded early in the action, and who led his company with great coolness and gallantry.

Capt. Rhodes, who brought all his men that could get horses from Clive and Havelock, a distance too great to be marched on foot in time, and who performed valuable services in delaying the fugitives.

Capt. Buchanan, whose volunteers contributed so much to the final success, and who showed them so gallant an example.

Capt. Birch, who collected the scattered company of the Napier country districts, and brought all to the field.

Capt. Gordon, who raised his troop in a few hours, and armed with sabres alone, performed so much valuable service.

NEW ZEALAND.

Lieut. Wilson who, after Capt. Kennedy was wounded, took command of his company and showed it an example of cool courage and zealous obedience to orders.

Capt. Withers who, in two hours at night, completed the equipment of the whole force, and arranged all the details of the movement, besides assisting me all day in the field.

Capt. Hamilton Russell and Mr. Agnew Brown, who acted as staff officers throughout the day most zealously, and performed much dangerous duty.

Mr. Hamlin, who acted as my interpreter, and who on two occasions rode under a hot fire to carry out my orders, and was wounded in so doing.

With this affair, and the few days further operations required, I trust that the recent unsettled state of this district may cease, as nearly all the turbulent spirits are now killed or taken, and that your Honour may once more have the satisfaction of seeing the blessing of peace restored to our Province; and I trust I do not transgress in acknowledging the great assistance afforded me on all occasions by you, to which, and to the harmony and concert with which your Honour's transactions with me have been distinguished together, and with the noble conduct of our settlers, is wholly due the original success of the late operations.

(Signed) G. S. WHITMORE, Lieut.-Colonel,
Commanding Militia District.

To his Honour the Superintendent,
Hawke's Bay.

Sub-Encl. 2 in No. 21.

Sub-Enclosure 2 in No. 21.

SIR, Captain Carr's Station, Petane Valley, October 13, 1866.

I HAVE the honour to report for your information my proceedings consequent on your orders to me of the 11th instant. I marched as therein directed at 2 a.m. on the 12th, and crossed my company* over in boats to the Petane Spit, along which we proceeded. The march was rendered very fatiguing by the heavy sand, but the men went along well, and in the highest spirits. We reached the pa "Pou" about 6 a.m., and there halted for the purpose of seeing if it were inhabited and by whom; we only found in it three men, with a number of women and children. The men I arrested in accordance with your instructions to me. After a short time we proceeded to Captain Carr's station, and I caused all the settlers in Petane near Captain Carr's station to be assembled there. We arrived about 8 a.m., and I should imagine the length of the march to have been altogether some 12 miles. Shortly after our arrival, and while awaiting your orders and the mustering of the settlers, two officers, when proceeding to bathe, saw a body of horsemen in the distance and informed me of the fact. I accordingly posted my men in such a position as to guard against accidents, and awaited their arrival. They proved to be an armed party of Hau Haus under Paora Toore, Rangihiroa, and Aneru Matete, to the number of about 22; they had, I must mention, to pass through a sort of gorge before they could see us, and so I was enabled to surround them, and, in compliance with your orders, call upon them to surrender. This was accordingly done, but although repeatedly asked to surrender, and although they must have seen that they were in a difficult position, they refused to do so, and attempted to gain a house which would have afforded them cover to fire on us from. I had therefore no alternative but to order my men to fire, which was hotly returned; the skirmish lasted but a short time, and at its close the casualties on both sides were as follows:—On that of the enemy twelve killed, one wounded, and three prisoners taken; on ours, one serjeant, name as per margin,† severely wounded. Paora Toki and Aneru Matete, the ringleaders, and who had said to their men "don't give up your guns," I am sorry to say escaped, but I have now sent out a mounted and foot party to scour the adjacent country for them, as it is believed the latter is wounded; among the killed was the Chief Rangihiroa, who has so long troubled this district.

In obedience to your orders I shall remain here until further instructions. I beg that you will bring under the notice of the Government the name of Captain Carr, late Royal Artillery, who rendered me valuable assistance in surrounding the enemy and in preventing their escape. He was accompanied by three other mounted men; had there been more, none I am sure of the enemy could have escaped. Lieut. J. G. St. George, late C. D. F., who volunteered to accompany me on this expedition, and Ensign Richardson, whose previous knowledge of the ground enabled me to place my men to advantage, rendered me very valuable assistance, for which I beg to bring their names under your notice. I may add that the men behaved admirably and coolly, and carried out all my orders exactly.

I have, &c.
(Signed) JAMES FRASER,
Major Commanding Detachment Colonial Forces, Petane.

Sub-Encl. 3 in No. 21.

Sub-Enclosure 3 in No. 21.

(Letter sent with a Flag of Truce.)

SIRS, Napier, October 11, 1866.

I HAVE addressed several letters to you asking you to explain the reason of your coming to Heretaunga. Up to the present time you have not given any reason for that act. You have come armed into a peaceful district and created confusion and disturbance. You have declined to go back to your homes when called upon to do so.

I have now determined to put an end to this state of things, and I require you to give up your arms and surrender yourselves to the officer commanding the forces in one hour from the time you receive

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* Strength of Company—
One field officer, 3 subalterns, 1 assistant surgeon, 37 rank and file.

† Enemy—
Killed 12, wounded 1, prisoners 3.
Colonial forces—
Serjeant Fletcher, M.T., gunshot wound through right knee.

this letter. A white flag will be kept flying for that hour, and if at the expiration of that time you have not surrendered another flag will be hoisted, and you will immediately be attacked. This is all from

NEW ZEALAND.

McLEAN.

Sub-Enclosure 4 in No. 21.

Sub-Encl. 4 in No. 21.

MY DEAR MR. McLEAN, Napier, October 13, 1866.

I THINK it right that you should be put in possession of the fact that I was informed by one of the Native prisoners taken to-day at Omaranui, the son of Rangihiroa, that yesterday afternoon a messenger was sent off by Panopa, Hau Hau leader Te Titiakura, to order Rangihiroa, Paora Toki, Anaru Motete, and their party, to come down to-day, and take up their position at the Fishing Huts on the Western Spit, where two canoes were placed for their use, and that they were to be ready to cross over to attack the town upon notice being given when Panopa and his party were ready to make the attack from the other side.

I have, &c.
(Signed) SAMUEL WILLIAMS.

Sub-Enclosure 5 in No. 21.

Sub-Encl. 5 in No. 21.

SIR, Napier, October 13, 1866.

REFERRING to the plan of operations discussed with you and agreed to this morning, I have the honour to state, that to avoid any complications with the Taupo or other tribes, it will be advisable not to extend the march of the combined forces of Europeans and Natives under your command beyond Waipaiati, a short distance from the Haroto. It is, however, necessary, in the event of your being able to capture Paora Toki or Anaru Matete, that you should use your own discretion in moving beyond the point referred to should it appear to you that you would be likely to secure these dangerous insurgents.

I have, &c.
(Signed) DONALD McLEAN,
Agent for the General Government.

Lieut.-Col. Whitmore, &c., Napier.

SIR, Colonial Secretary's Office, Wellington, October 25, 1866.

I HAVE the honour to acknowledge the receipt of your letter of the 15th instant, containing the official account of the successful engagements on the 12th of this month with rebel Hau Hau Natives at Omaranui and Petane.

My letter, No. 328, of the 17th instant, written before I received your letter, will already have informed you of the satisfaction with which the Government received the intelligence of the energetic and effective steps taken to expel the insurgent Hau Haus, and to preserve tranquillity.

The enclosures to your letter sufficiently indicate that these Natives intended an attack on Napier, which has, however, been happily frustrated by the arrangements so promptly made by you, and so efficiently executed by Lieut.-Col. Whitmore and the men under his command.

I have, &c.
(Signed) E. W. STAFFORD.

His Honour D. McLean, Napier.

No. 22.

No. 22.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 108.) Government House, Wellington, November 28, 1866.

(Received February 1, 1867.)
(Answered No. 10, February 1, 1867, page 55.)

MY LORD,

I HAVE the honour to transmit, for your information, a copy of a letter I have received from Major-General Chute, which he addressed to the Secretary of State for War on the 1st instant, but which did not reach me until the English mail had left.

Tauranga, 1 Nov. 1866.

2. Major-General Chute informs the Secretary of State for War, in reference to proceedings I have ordered to be taken, as follows :—

"I need not invite attention to its being against all the dictates of common sense, military precedent, and prudence, that two forces acting under different heads, should, at the same time, undertake the same service in the same locality."

3. I cannot explain how Major-General Chute could have fallen into this error. The enclosed copy of a letter from Major Gray, aide de camp to the Assistant Military Secretary, written on the 21st of August last, will show that Major-General Chute was distinctly informed, in reference to Major McDonnell, that—"It was never intended that he should "be made independent of the officer commanding the district in which he might be "employed."

4. The enclosed extract from the report of the officer commanding the district will show that when the military did enter on active operations all acted under the orders of the officer of Her Majesty's forces who was in command, and to his entire satisfaction.

Extract from Major Rocke's letter of 6th of Nov. 1866.

5. With regard to the Ministerial Memorandum of which Major-General Chute complains, I should state that, having visited the district, and been able to form my own

Memo. by Col. Haultain, 12 Oct. 1866.

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opinion upon the matter, I think it was very difficult for the officers commanding posts to act energetically and usefully without having been put in possession of more precise information than they had regarding the nature of the country, and the positions occupied by the hostile Natives. They also required instructions more detailed in nature, and more frequently issued according to varying circumstances than the very general ones which they received. I am convinced from what I have seen of them that they were intelligent and gallant men, most anxious to do their duty. The real error is that the Major-General resides at a distance of 15 days from the seat of Government, where all intelligence is received. Hence the Governor cannot consult with him on emergencies that arise, and it becomes impossible to issue orders suited to the exigencies of the moment.

6. Major-General Chute appears not to appreciate fully one difficulty. Great Britain is now doing here that which ancient Rome formerly did in regard to Britain. England now withdraws all its forces, and leaves a distant possession to hold its own against the native inhabitants of the country.

7. If England withdraws each military post in such a manner that as the troops march off they leave the country quiet, and the Natives convinced that they have been subdued, a fair chance is afforded to New Zealand for the future. But if before the post is withdrawn outrages and murders are committed close to it, the communication stopped, and the redoubt itself insulted by shots being fired into it, and under such circumstances the troops are marched off and leave the country, the position of this Colony will be one of great difficulty.

8. I have endeavoured to prevent such a case as I have last described from arising. There is no necessity that it should arise, if the General and the Governor reside near each other, but if they do not do this I feel confident that very serious disasters will take place.

I have, &c.
(Signed) G. GREY.

Right Hon. the Earl of Carnarvon,
&c. &c. &c.

Encl. in No. 22.

Enclosure in No. 22.

SIR, Head Quarters, Tauranga, November 1, 1866.

I HAVE the honour to forward for the information of the Right Honourable the Secretary of State for War the accompanying copy of a letter from the Private Secretary of the Governor of New Zealand, with a Report from Major McDonnell of the Colonial Forces, and a Memorandum addressed to his Excellency by his Responsible Advisers commenting in a most extraordinary and unjustifiable manner on the conduct of Her Majesty's troops in the Whanganui district.

I enclose also a copy of the reply I caused to be sent to his Excellency's communication.

It is not for me to enter into any discussion with his Excellency on the fact of his having thought proper to send to the General Officer commanding Her Majesty's troops a document of such a nature as the Ministerial Memorandum, without any expression of his Excellency's own views on the subject to which it refers; but as his Excellency has communicated to me this expression of his Minister's feelings (with which, apart from his Excellency's own views, I have no concern whatever), and it may possibly hence be inferred—though I am unwilling to believe it—that his Excellency himself participates in the opinions of his Responsible Advisers, I consider it my duty to bring prominently under the cognizance of Her Majesty's Government, through the Secretary of State for War, the whole of the circumstances which have led to my being subjected to receive a document reflecting so improperly on Her Majesty's troops whom I have the honour to command.

I forward herewith a copy of a correspondence which took place between his Excellency and myself in July last respecting the employment of Her Majesty's troops in the Whanganui district, in co-operation with the local forces, against the disaffected Natives. It will be observed that on the 11th of July I received a request from the Governor to assist in a service which was being undertaken by a body of Colonial troops in the Whanganui district. I replied that I would be happy to carry out any instructions his Excellency might be pleased to give me respecting the employment of Her Majesty's troops in any military operations, but that it would be necessary that any of the Colonial forces who were to be employed on the same service should be placed under my command. This was not done, but his Excellency then wrote to me the letter of the 28th July.

I subsequently had an interview with the Governor, and after discussion with him consented to instruct the officer commanding the Whanganui district to give assistance to Major McDonnell to the extent of 150 men on his demanding it. A copy of my letter of instructions to the officer commanding at Whanganui, and of my letter to the Governor informing him thereof, are enclosed.

It was not, I confess, without great hesitation that I consented to do this, for it appeared to me to be quite an anomaly to detain Her Majesty's forces, as his Excellency was doing, at the outposts in the occupation of this same district, and yet to send an officer of the Colonial forces with a military force into the very heart of it to co-operate against the hostile Natives without reference to the control or authority of the General Officers commanding Her Majesty's troops, whose co-operation, however, was still expected.

Apart from this anomaly, I need not invite attention to its being against all the dictates of common sense, military precedent, and prudence that two forces, acting under different heads, should at the same time undertake the same service in the same locality.

It will be noticed that there is no assertion made in either Major McDonnell's report or in the Ministerial Memorandum that the assistance I had promised, as stated in my letter to the Governor of the 6th August 1866, was applied for and refused. On the other hand, had an officer of the Imperial forces of Major McDonnell's rank gone out without his aid being applied for and taken the command, there would have been an interference both with the evident intention of the Governor and of the Colonial Ministers, viz., that Major McDonnell should have the power of acting independently; and I should most probably have had my attention called to an interference that was not intended, and which was considered unnecessary and inconvenient.

It was, I confess, therefore with much surprise and indignation that I learned that his Excellency's Responsible Advisers had ventured to reflect as they have done on Her Majesty's troops; and I deeply regret that his Excellency has not, when conveying to me without comment that expression of their opinion, at the same time given me the authority, for which I have so frequently applied to him, to withdraw Her Majesty's troops from the whole of the outposts in the confiscated territory, where their services appear to be so little appreciated.

In their desire to depreciate the services of Her Majesty's troops the Colonial Ministers have made statements not only unconnected with the contents of Major McDonnell's report (the occasion of their Memorandum), but which, if not wholly unsupported by the semblance of fact, are exaggerations so extravagant that they serve only to mislead. I refer to the allegations about firing into redoubts, the stoppage of communications, &c.

With regard to the firing into redoubts, I feel satisfied that no such thing ever occurred; at least, I never heard of it, and presume I should if so extraordinary a thing had happened. His Excellency spoke to me at Wellington about the post at Warea, in the Taranaki district, having been fired on. This neighbourhood was the hot-bed of disaffection, and had been the scene of many skirmishes and ambuscades while the enemy were in any force. Since that the troops there were constantly out endeavouring to fall in with the enemy, but unsuccessfully, as for several months they have kept clear, and vanished when the troops appeared. On some few occasions, I ascertained from the officer commanding at Taranaki, a small number of Natives appeared and fired harmless shots at wood parties; and on two occasions they came nearer and fired once at the outlying sentry, and once in the direction of the redoubt, and they were immediately followed, when they disappeared in the bush.

With regard to the stoppage of communications, I really do not understand to what allusion is made, except it be to the occasional ambuscades laid by Natives on part of the west coast, who have attacked stragglers or very small parties.

This it is impossible to prevent so long as a few Natives remain hostile. Thus on part of the west coast communication cannot be said to be safe without the escort of armed parties. Communication is not generally safe in the vicinity of an enemy, and especially in such a locality as the open country between Taranaki and Whanganui, which is flanked by continuous bush; and though the hostile Natives are very few in number, and are in themselves contemptible, and being heartily tired of fighting may come in any day, yet communication in their neighbourhood is not safe until they are either captured or yield.

It is not true, however, that communication has been stopped.

I have thought it better, in order to prevent possible misapprehension, thus to refer to these assertions of the Colonial Ministers, though, from their evident improbability in reference to Her Majesty's troops, I might well have left them unnoticed.

The Secretary of State may not improbably remark on my having in any way, as in my letter of the 6th August, countenanced the existence of a military force in a district occupied by Her Majesty's troops while that force was acting under direct orders from a Colonial Minister, and independently of my authority or control. My reply is, that I was really desirous, for too many reasons to detail here at length, to avoid in every possible way the appearance of not wishing to give the fullest support to his Excellency in his desire to harass the Natives, however I may have felt—as I certainly did feel—that the course he adopted was unusual and even unprecedented.

It is with the deepest concern, therefore, I now find that from an extreme anxiety to meet his Excellency's wishes I have exposed the troops under my command to a most unwarrantable aspersion at the hands of the Colonial Ministers.

I trust, however, the Secretary of State will be satisfied with my assurance that the opinions which these gentlemen have allowed themselves to express are simply not in accordance with facts; and that had I become acquainted with them in any other way I should not have considered it necessary to notice them. Coming, however, as they do stamped with the high though silent authority of the Governor of this Colony, I feel I should be wanting in a sense of respect for my own position, and for the honour of Her Majesty's service if I did not both refute such assertions, and represent to the Secretary of State how they were communicated to me.

I have, &c.
(Signed) T. Chute,
Major-General.

The Under Secretary of State,
War Office, London.

Sir, Private Secretary's Office, Wellington, August 21, 1866.

In reply to your letter of this date, No. 4786, forwarding the copy of a letter from the officer commanding the Whanganui district, requesting that Major McDonnell might be instructed to furnish him with reports regarding his movements, I have the honour by direction of his Excellency the Governor to acquaint you for the information of the Major-General Commanding that Major McDonnell was directed on leaving Whanganui to report direct to the Defence Office, instead of through Lieut.-Col. Gorton; but it was never intended that he should be independent of the officer commanding the

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district in which he might be employed. If he has failed to report to that officer he has misinterpreted the instructions of the Government and will now be informed accordingly.

I have, &c.

The Assistant Military Secretary, Head-Quarters.

(Signed) W. R. GRAY, Major, Aide-de-Camp.

EXTRACT from Major Rocke's letter to Deputy Adjutant-General of the 6th of November.

"I have enjoyed full scope of action, whilst his Excellency has caused information to be given, both "as regards the Natives and the different localities, which it would have been impossible otherwise to "have acquired."

MEMORANDUM.

His Excellency is respectfully requested to acknowledge the assistance rendered to the wounded by Captain Noblett and Dr. Spencer, of the 18th Royal Irish; but at the same time, Ministers cannot refrain from expressing their surprise that the officers commanding the Imperial posts, which were close to the scene of Major McDonnell's operations, should not have more actively assisted him.

It appears strange that the commanders of the outposts, who have been instructed by the Major-General, "to lose no opportunity in attacking the rebel Natives, and by constant patrols and reconnoi-"tering parties, to harass and annoy them as much as possible," should remain within their redoubts whilst a very difficult and hazardous enterprise was being undertaken by a few Colonial troops in their immediate neighbourhood. Major McDonnell would have been greatly aided and encouraged had a party moved out from Waingongoro on the morning of the 2nd to have covered his retreat, or to have supported him in holding the position he had stormed, and he might have strengthened his small force by withdrawing more men from Kakaramea and Hawera, could he have calculated that patrols from Patea, and Manawapou would have been scouring the neighbourhood; but no assistance beyond attending to the wounded when brought into their camp, was afforded by the regulars. And it seems, that in a district occupied by them, and under the command of an Imperial officer, outrages may be committed, communications stopped, and redoubts fired into, whilst the punishment of the enemy, and the risks and hardship of a winter campaign are left to a small body of local troops.

(Signed) T. M. HAULTAIN.

No. 23.

No. 23.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 111.)

Government House, Wellington, November 29, 1866.

(Received, February 1, 1867.)

(Answered, No. 15, February 26, 1867, page 62.)

MY LORD,

I HAVE the honour to transmit a copy of a letter which has been received from Lieut.-Colonel Harrington, commanding a local regiment, from which your Lordship will find that a detachment of Her Majesty's regular forces, 300 strong, have taken the field at Tauranga by directions of Lieut.-Colonel Hamilton, 12th Regiment, on the requisition of an officer of the Local Government.

2. This movement has been made without my knowledge or assent. It is in violation of my instructions, which were to call on the Local Government to pay for any troops whose services they might require, and if they declined to accept the services of such troops, then to remove them from the Colony.

3. The Local Government refused to make any payment for any part of Her Majesty's forces, and I am bound to the General Assembly, as well as to Her Majesty's Government, to have Her Majesty's regular forces removed with as little delay as practicable from New Zealand.

4. I regret exceedingly the apparent breach of good faith and of my instructions which has taken place at Tauranga, and in relation to which the military authorities have passed me by absolutely without notice. I have not received a line from any one of them on this most important subject, although there have been two opportunities of writing to me.

5. But in truth, neither myself nor the Colonial Government are to blame for what passes in relation to the movements of the troops. The Major-General still resides at a distance of 15 days from the seat of Government. Even the arrangement Her Majesty's Government was informed was being carried out, of an officer of superior rank residing at Wellington, although it would have been a most inefficient one, has never been put in force.

6. I shall proceed to Tauranga at once to determine what ought under existing circumstances to be done there, but I would again earnestly entreat that the Major-General should be directed in this still disturbed country to reside at the seat of Government.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c.

(Signed) G. GREY.

Enclosure in No. 23.

SIR, Tauranga, November 12, 1866.

I HAVE the honour to report for your information what has occurred in this district within the last few days.

Last week Mr. Mackay and Mr Clarke held a meeting, to settle the boundaries of certain lands, between the west bank of the Waiua river and Katti Katti. Arrangements were made with the Ngaiteragi chiefs, regarding the purchase of some land in this block which had not been confiscated.

The Pirirakau Natives, residing at the edge of the bush about six miles from the west bank of the Waiua river, were invited by Mr. Mackay to attend the meeting, but declined, stating their objections to the whole proceeding. Mr. Mackay informed them that he should proceed to cut the lines of the Government boundary, but would not molest them; to which they replied "that they did not approve "of his proceedings, and should oppose any surveyors coming there." Upon this Mr. Mackay applied to Colonel Hamilton, commanding the district, to give him a covering party, and on Friday morning the 9th instant, a detachment of 200 men of Her Majesty's 12th Regiment proceeded to take up a commanding position on the west bank of the Waiua.

Intelligence was received last night by Mr. Mackay, that the Pirirakaus had applied to the Thames and Waikato Natives for assistance, and that they had been promised to be reinforced with a strong body of Natives, who were to resist the survey near Te Puna.

It was also reported to Mr. Mackay that this camp is to be attacked. Upon receipt of this intelligence, Colonel Hamilton ordered 100 more men of the 12th to proceed to the front, and 200 of the 1st W. Regiment, to act as a reserve at the Waiua river.

I am directed to take command of the camp, and as there were few men available left, I have called upon the civilians to act as volunteers for the defence of the camp if actually required.

Under these circumstances I have deemed it expedient *not* to send the spare arms to Auckland as ordered, but have issued them to the volunteers, taking receipts for the same. I did this as no militia list is yet formed, and my last instructions were "not to do anything till further orders from you."

I may also add that both Mr. Clarke and myself have received notice that Opitiki is to be attacked on the 14th instant, by a strong body of Natives from Taupo.

Major St. John earnestly solicited a reinforcement, but Colonel Hamilton does not think it advisable to weaken this place for a few days, until he sees if there is any ground for the rumours that have been sent in. Trusting that you will approve of the steps I have taken,

I have, &c.

The Hon. Colonel Haultain, Wellington.

(Signed) PHILIP HARRINGTON, Lieut.-Colonel 1st W. Regiment.

No. 24.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. the Earl of CARNARVON.

(No. 1.) Government House, Wellington, January 8, 1867.

(Received, March 1, 1867.)

MY LORD, (Answered, No. 21, March 6, 1867, page 72.)

I HAVE this morning returned to this place a few hours before the Panama steamer sails with the English mail.

2. I consequently have no time to make a lengthened report to you, but I am sure that you will be happy to hear that this country continues tranquil and is rapidly improving in every respect.

3. On my recent journey I have passed through the North Island, traversing its central and most accessible districts, portions of which had not been visited by any European for several years.

4. I was everywhere received with joy and rejoicings by the Native population, even in those districts where their losses of men during the war had been large; but these men had all fallen in places remote from their own territory,—where they had gone to join their fellow-countrymen who were in arms against us,—and their surviving relations admitted in the most unreserved manner that we were not to blame for the large loss of life which had taken place.

5. I consider the Native population to be now in a better state than I have ever previously known it. The Natives express the greatest anxiety that Europeans should

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settle amongst them. They cheerfully conform to the views and wishes of the Government upon all matters; indeed they appear to desire to be directed and to be shown what they should do to render practicable a rapid amalgamation between the Europeans and themselves.

6. I met everywhere, in districts which had been regarded as unsafe, the utmost respect, and I was treated with a kindness so attentive and considerate that it was quite touching.

7. I feel sure that the European population, finding from my journey that they can again safely traverse the interior of the country, will begin to spread into all parts of it, developing the great resources of valuable districts which are now but little known; and the advance of this Northern Island in wealth and population will be consequently henceforth very rapid.

In this advance in wealth and prosperity the Native population, who are extensive landholders, will largely share, and I feel quite satisfied that New Zealand, now ceasing to be any drain upon the resources of Great Britain, will in time be regarded as one of the most tranquil and valuable portions of the Empire.

I have, &c.

The Right Hon. the Earl of Carnarvon, &c. &c. &c.

(Signed) G. GREY.

Despatches from the Secretary of State.

No. 1. No. 1.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 28.)

SIR, Downing Street, September 22, 1866.

I HAVE the honour to acknowledge the receipt of your Despatches of the Nos. and dates noted in the margin, forwarding for my information a copy of the speech with which you opened the first session of the fourth Parliament of New Zealand, together with copies of the Addresses presented to you in reply from the Legislative Council and from the House of Representatives.

No. 66, July 5, 1866, page 1.
No. 67, July 5, 1866, page 2.
No. 68, July 6, 1866, page 4.

I have, &c.

Governor Sir George Grey, K.C.B. &c. &c. &c. (Signed) CARNARVON.

No. 2. No. 2.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 29.)

SIR, Downing Street, September 22, 1866.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 73,* of the 24th of July, informing me that the state of affairs in New Zealand was rapidly improving, and that William Thompson, accompanied by three other chiefs, had arrived at Wellington.

* Page 6.

It is very satisfactory to me to receive his intelligence.

I have, &c.

Governor Sir George Grey, K.C.B. &c. &c. &c. (Signed) CARNARVON.

No. 3. No. 3.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 30.)

SIR, Downing Street, September 22, 1866.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 71,† of the 17th of July, forwarding a copy of a telegram which you had directed to be transmitted to me on that day.

† Page 6.

The message to which you refer has not been received at this department. In the event of its being delivered I shall of course inform you of its arrival. In the meanwhile I have to suggest that you should make particular inquiry at the office from whence it was sent, and endeavour to trace out the cause of its failure to reach its destination.

I have, &c.

Governor Sir George Grey, K.C.B. &c. &c. &c. (Signed) CARNARVON.

New Zealand.

No. 4.

No. 4.

Copy of a DESPATCH from the Right Hon. the Earl of Carnarvon to Governor Sir George Grey, K.C.B.

(No. 31.)

Sir, Downing Street, September 26, 1866.

* Page 5. I have the honour to acknowledge the receipt of your Despatch, No. 69,* of the 10th of July, reporting the circumstances attending the death of a friendly Native named "Spain," who was shot by Her Majesty's troops on the occasion of the capture of a pah.

It is very satisfactory to me to learn that Spain's death was entirely the result of an accident brought about by his having acted in defiance of the positive orders which had been issued, that no acts of pillage were to be committed.

I am glad that you caused such prompt inquiry to be made respecting the death of this Native.

I have, &c.

Governor Sir George Grey, K.C.B. (Signed) CARNARVON.
&c. &c. &c.

No. 5.

No. 5.

Copy of a DESPATCH from the Right Hon. the Earl of Carnarvon to Governor Sir George Grey, K.C.B.

(No. 34.)

Sir, Downing Street, October 11, 1866.

I have the honour to transmit to you a memorial addressed to the Queen by a New Zealand chief, which has been forwarded to this office by the Rev. L. Parsly, a copy of whose letter is likewise enclosed. I also annex a translation of the memorial which has been made by Mrs. Colenso, to whose charge were confided the New Zealand chief, Pomare and his wife, when they were in this country.

Sept. 12, 1866.

I request that you will cause the chief from whom the memorial proceeds to be informed that it has been duly received, acquainting him at the same time that in the event of the Native subjects desiring to say any thing to the Queen, it must be said through the Governor, who will not fail faithfully and carefully to report it to the Queen.

You will also inform him that Her Majesty has no intention of sending to New Zealand any great judge from England, but that She is very anxious for the happiness of Her British and Maori subjects in New Zealand, and requires them all alike to obey Her laws, and to do their best to live at peace with one another.

I have, &c.

Governor Sir George Grey, K.C.B. (Signed) CARNARVON.
&c. &c. &c.

Encl. in No. 5.

Enclosure in No. 5.

Sir, British Hotel, Charing Cross, September 12, 1866.

I have the honour, at the request of a "Maori chief," to forward to you a letter for Her most Gracious Majesty. I know nothing of its contents, but was assured by the Catholic bishop of Auckland that it contained nothing which might not be submitted to Her Majesty.

I have, &c.

Right Hon. Edward Cardwell. (Signed) L. Parsly,
Chaplain to the Forces.

Translation. Auckland, June 14, 1866.

(This is the second letter of the Maori chiefs, and you have not yet answered.)

To England, to the Queen, the Protector of the Maori People in New Zealand.

Auckland, March 16, 1866.

This is a communication to Governor Grey, in the year of our Lord. Go, this our letter to Governor Grey.

Friend, salutations to you. Here is our prayer for you, that God will preserve you, that you may live in all the years. The second prayer for you is, Glory in heaven, peace to the great transgressors, as well as to the guiltless. O friend, the great Governor of New Zealand, salutations to you. We

have heard that you are sitting on the stool of honour of the Queen, our good sovereign the Queen, for the people who are sentenced by the law to die or to live. You save them; let your thought be Christian-like, that you may be a partaker in the sufferings of our Lord Jesus Christ. O friend, let your sympathy be towards us, and towards those prisoners likewise. From you must come the word of deliverance for Ngatiawa and the Whakatohea;* if they perish, your name will be spoken ill of to all the world; (take care) lest you be a spectacle to the Maori people, and to the gentlemen of England, the protectors of the Maori side in the great name of the Queen to her Maori people in New Zealand.†

This was the answer of Governor Grey to the Maori chiefs (in return) for our goodness to him. On the seventh day of May, at the eighth hour, two were murdered;‡ at the ninth hour three were slain. A foul murder is this by the European on me the Maori; on the people of the parents of the Queen; on the people of her children. Two were the smitings of Governor Grey. On the first day of May, your letter was published in the press of the south in Auckland,§ in which you called on Governor Grey to make haste and set up his Council to break up the evils of this island. This is the answer of Governor Grey to you‖ and the Queen in revenge for your exalting yourselves above him, (viz.) a rope, (to the Kakuere and Kariwera¶ of the Queen, God preserve you and keep you alive) on the neck of Mokemoke, of Solomon, of Zechariah, of Heremita, and of Michael. This is a token of non-submission on Governor Grey's part to you and our good sovereign the Queen. Look you to the fruit (or meaning) of the letter of the chiefs of the assembled tribes of New Zealand.

A song of lamentation for those men who have been murdered:**—"A shocking thing indeed, fed deliberately, talked with deliberately in the house. O friend, remembrance rests and returns backwards, —almost goes back where—the dog caught by night—there is a dog caught and hanged by night; that speech turns to you."

From Moananui, of Hauraki.††
„ Maihi te Hinaki, of Whitianga.‡‡
„ Hoterene, of Hauraki.
„ Kanapu te Arawa.
„ Wiremu Hana Kaihau.
„ Riri-tuku-te-puehu te Arawa.
„ Kepa Toihau.
„ Ngatiawa.
„ Retireti.
„ Hori Hoia.
„ Matu te Hokia.
„ Pauro.
„ Tira.
„ Te Matimati.
„ Pereme te Arawa.
„ Raniera te Arawa.

This is our last word to you, O Queen, that you call hither to the Government of this Island to let go our people who are in the prison house; it is merely a word of ours to you, that your very own self should ratify our prayer to you. On the ending of the days of June 30th the council of the white people of this Island will stand to thrust out . . . . . .§§ We do not like their ways —stealing land, murdering the Maori people of the homes of our fathers. With you is the thought—take away all, your thousands two, those on the shore and those on the sea, that is, your soldiers and your men-of-war—sweep them away, as a punishment for the impudence of the Europeans to you. Leave only the "Pihareina,"‖‖ which Governor Grey and Bishop Selwyn fetched and collected here, to fight the Maoris; leave only the dogs of Governor Grey and of King Matutaera Potatau to fight one with another here.

This is an account of the assembly (of Maori people) at the coming of Thompson¶¶ to Hangatiki to see the king Potatau; the first proposal of William te Waharoa was, that Thomas*** should meet Rewi and all their people. All the words that were in the letter of (Sir) George Grey to us, for us to listen to were about peace, and saying, that we must abide faithfully under the mana††† of the pakeha.‡‡‡ and of his contemptible laws, and saying that we must cease using the title of king for Matutaera.§§§

Rewi answered, "Useless are the urgings of the Governor to you, O William. I say to you, and to "your friend the Governor Grey, there is no other reason for the causeless anger of these people, the "English, against their Maori friends living here together in New Zealand under the shadow of Christ, "and under the united 'mana' of the Queen and of the Maori king; the first was, robbing me of "my land, the root of this quarrel . . . . . ."‖‖‖ What better words could be spoken than the great words on the day that Potatau stood as a king for the Maoris in the days of

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* Names of tribes. † Aborigines Protection Society, most probably.
‡ Most probably the men who were executed for the murders of Rev. Mr. Volckner and Fulloon, &c.—E. C.
§ "Southern Cross" newspaper? ‖ Mr. Cardwell? ¶ Cardwell.
** Maori songs are most difficult to translate. I give the sense as nearly as I can.—E. Colenso.
†† River Thames, New Zealand. ‡‡ Mercury Bay, New Zealand.
§§ I cannot make any sense of the sentence I have underlined with pencil in the original, but suppose it refers to the prisoners who were banished to the Chatham Islands.—E. C.
‖‖ Probably the animals introduced by Governor Grey into New Zealand.
¶¶ William Thompson, Tarapipipi te Waharoa, the so-called "Maori king-maker."
*** Most probably the Maori king's uncle, Tamati Ngapora, brother to Potatau the first.
††† Power, protection, influence, &c. ‡‡‡ White man.
§§§ The name of Matutaera occurs several times in the document in an abbreviated form; for example, "tuta" means Methuselah.
‖‖‖ "He waka hi wanga te kingi." I cannot make any sense of this sentence; it evidently refers to "the king." It may mean "the root of this quarrel was the disapproving of the king."—E. C.

NEW ZEALAND.

Governor Browne, when the assembled (tribes) met at Paetai. Four important things were agreed to at that time, viz. the Maori king in his department and the Queen in her department, and the Governor to be between them; the law of love to be bound on their loins, and the law of God over them, and the laws of man to be a ladder (or bridge) for all the people. This was agreed to by the Maori chiefs, and by all the people. It was also assented to by the European Assembly* of Governor Browne and the ministers present. These great laws of love to man were not considered by Governor Grey.

In the moment of irritation of the Governor Grey he hurried to war, in the midst of Waikato, with his old friends, the children of his faithful friend Potatau; the cause of the first failure was—Matutaera Potatau proposed that the Waikato people should return to Mokau. Kaikomako replied, "O Waikato, to your own home; I shall go and try to prevail on Matutaera to give up the Waikato "*pakehas*† to be fought with by me." Matutaera's principal word was, "My land shall be got back "again, my ancient *mattrass*,‡ the mattrass of my forefathers, viz., Ngaruawahia, upon the sword of "war, when I speak the word for war."§ . . . . . O William, I must carefully consider the quarrel with Gorst Magistrate; ‖ by-and-bye, when the great judge comes whom George Graham speaks of; then will the eyes of the Governor Grey be opened from the obstruction caused by his sins against me. May Christ take away the scales of darkness from the eyes of himself and of his friends Bishop Selwyn and *Brother*¶ of Whaiapu, that the scales which continue to adhere to their eyes may fall off; that some great governor** out of the Queen's Council may come and set to rights this great transgression of the white man against me, and move away this sea fish sprawling continually here upon the mattrass of my forefathers. Only then will I come to see the new man. But as for this, O William, say to your friend Governor Grey, let not his people uselessly build permanent houses on the disputed land of other men. I, the owner of the land, am living. But now, O William, we do not desire to see this man; *where was he*†† when the chiefs of Waikato requested him to restrain wrath, and carefully judge the case first; he persisted in drawing his sword to smite Waikato? We do not desire to see the deceitful man Grey; if he pay‡‡ for his taking on himself to break the treaty of New Zealand, I will be satisfied; we will await the arrival of the *great judge* §§ from England. The cause must be left to our Protector. O Madam, let this letter be answered by you.

8th of March 1866. From MATUTAERA to THE QUEEN.

Mohoanui.—I gave this to the "tinara pirihi" of Waikato, for him to take to London, and for him to give into your hand.‖‖

(From the Maori lawyer at Auckland.)

No. 6.

No. 6.

COPY of a DESPATCH from the Right Hon the Earl of CARNARVON to Governor Sir George Grey, K.C.B.

(No. 36.)

SIR, Downing Street, October 19, 1866.

Oct. 8, 1866.

I HAVE the honour to transmit to you for your information a copy of a letter from the Board of Treasury respecting a sum of 172*l.* 16*s.* 5*d.* due to the Government of New Zealand for rations, &c. supplied to military convicts in Colonial prisons, from the 1st of July 1865 to 31st of March 1866.

You will see that their Lordships have approved of provision being made in the Parliamentary Estimates for the sum due to the Colony on this account, but that they consider it proper that the amount in question should not be actually paid over to the Colonial Government, but should be credited to the Treasury Chest account, in part diminution of the large sum due to that account by the Colony.

I have, &c.

Governor Sir George Grey, K.C.B. (Signed) CARNARVON.
&c. &c. &c.

Encl. in No. 6.

Enclosure in No. 6.

SIR, Treasury Chambers, October 8, 1866.

I AM commanded by the Lords Commissioners of Her Majesty's Treasury to transmit herewith the under-mentioned documents, with a request that you will lay them before the Secretary of State for the Colonies, viz.:—

Copy of a letter from Deputy Commissary-General Strickland, New Zealand, dated 15th June 1866, on the subject of the reimbursement of the sums due to the Colonial Government for maintenance in Colonial prisons of military prisoners.

Copy of a letter from the War Department to the General Officer commanding the troops in New Zealand relating to this subject, dated 19th January 1866.

And copy of a letter which my Lords have this day caused to be addressed to the officer in charge of the Treasury Chest in New Zealand, in reply to Deputy Commissary-General Strickland's letter.

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* Or Council. † White men. ‡ Or thing to lie upon. § Cannot make out this sentence.
‖ Not quite sure that it means Mr. Gorst.—E. C. ¶ Bishop Williams. ** Royal Commissioner.
†† Or what was he about. ‡‡ Or make restitution. §§ Royal Commissioner.
‖‖ The meaning of the last sentence is not quite clear.

I am to refer you to the letter of this Board, of January 1866, and to state that my Lords consider that similar provision should be made in the Estimate for Convict Services in the Colonies for the sum of 172*l.* 16*s.* 5*d.*, due to the Colonial Government for rations, &c. supplied to military convicts in Colonial prisons from 1st July 1865 to 31st March 1866. NEW ZEALAND.

I have, &c.

Sir F. Rogers, Bart. (Signed) GEORGE WARD HUNT.

SIR, Commissariat, New Zealand, Auckland, 15th June 1866.

I HAVE the honour to enclose herewith, for the information of the Lords Commissioners of Her Majesty's Treasury a correspondence relative to cost of maintenance of military prisoners in Mount Eden Gaol, Auckland, from 1st July 1865 to 31st March 1866; and with reference to the War Office letter of 19th January 1866, $\frac{34815}{10}$, attached to the enclosures, I beg I may be favoured with their Lordships' instructions as to the disposal of this and similar claims which may be made for subsequent periods.

Until the receipt of the War Office letter quoted, on the 1st instant, regarding a previous claim of this nature to 30th June 1865, for 587*l.* 9*s.* 2½*d.*, I was ignorant of the principle laid down in regard to these claims, and no credit for that amount was given to the Colony.

I have, &c.

The Secretary, Her Majesty's Treasury, Whitehall, London. (Signed) E. STRICKLAND, Deputy Commissary General.

SIR, Pall Mall, 19th January, 1866.

I AM directed by Earl de Grey and Ripon to acknowledge the receipt of your letter of 28th September last, together with its enclosures, on the subject of a claim preferred by the Government of New Zealand to a sum of 587*l.* 9*s.* 2½*d.*, for rations and clothing supplied to the military convicts in the Colonial prisons from 1st January 1864 to 30th June 1865.

In reply, I am to acquaint you that these papers having been referred for the consideration of the Lords Commissioners of Her Majesty's Treasury, their Lordships have stated that, while they are prepared to admit the claim as chargeable to Imperial funds, they are not disposed to give directions for the payment of the amount in question to the Colonial Government while such large sums are due by the Colony to Her Majesty's Government. They will, however, take steps for placing it to the credit, and in diminution of the debt due from the Government of New Zealand.

I am to add that these expenses are under the exclusive control of the Treasury, and that claims of this nature should in future be referred to the Officer in charge of the Treasury Chest.

I have, &c.

The General Officer Commanding the Forces, New Zealand. (Signed) DOUGLAS GALTON.

SIR, Treasury Chambers, 8th October 1866.

THE Lords Commissioners of Her Majesty's Treasury have had before them the letter of Deputy Commissary General Strickland, dated 15th June 1866, and their Lordships desire me to acquaint you in reply thereto that, in accordance with the principle communicated to the General Officer Commanding the Forces in the War Office letter of 19th January 1866, to which Deputy Commissary General Strickland refers, their Lordships desire that the sum of 172*l.* 16*s.* 5*d.* due to the Colonial Government for rations, &c. supplied to military convicts in colonial prisons from 1st July 1865 to 31st March 1866, may be placed to the credit of and in diminution of the debt due from the Government of New Zealand.

The same course should be adopted with reference to the sum of 587*l.* 9*s.* 2½*d.* due on the same account from 1st January 1864 to 30th June 1865, and such similar sums as may become periodically due, until the account between the Colony and the Imperial Government shall have been adjusted.

I have, &c.

Commissary General H. Stanley Jones, C.B., The Treasury Chest, New Zealand. (Signed) GEORGE WARD HUNT.

P.S.—I am to request that this letter may be communicated to Deputy Commissary General Strickland.

No. 7.

No. 7.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 38.)

SIR, Downing Street, October 24, 1866.

I HAVE the honour to transmit to you for your information copies of a correspondence which has passed between the War Office and this Department respecting the retention in New Zealand by Major-General Chute of certain officers and men belonging to the 6th Company of Royal Engineers, which was embarked at Auckland for this country on the 27th of June last.

War Office, Sept. 29, 1866.
Colonial Office in reply, Oct. 9, 1866.
War Office, Oct. 13, 1866.
Colonial Office in reply, Oct. 25, 1866.

I have, &c.

Governor Sir George Grey, K.C.B., &c. &c. &c. (Signed) CARNARVON.

NEW ZEALAND.

Enclosure 1 in No. 7.

Encl. 1 in No. 7.

SIR, War Office, September 29, 1866.

I AM directed by Secretary Lieut.-General Peel to acquaint you, for the information of the Earl of Carnarvon, that a Despatch has been received from Major-General Chute, dated the 12th July, reporting that the 6th Company of Royal Engineers embarked at Auckland on the 27th June, in the ship "Trevelyan," for this country, and stating that, on the recommendation of Colonel Beatson, Royal Engineers, he had retained Captain Brooke, Lieutenant Molloy, two non-commissioned officers, and ten sappers, for duty in the Colony.

I have, &c.
(Signed) EDWARD LUGARD.

Sir Frederic Rogers, Bart.
&c. &c. &c.

Encl. 2 in No. 7.

Enclosure 2 in No. 7.

SIR, Downing Street, October 9, 1866.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 29th ulto., reporting that the 6th Company of Royal Engineers embarked at Auckland on the 27th June, in the ship "Trevelyan," for this country, and that Major-General Chute had retained Captain Brooke, Lieutenant Molloy, two non-commissioned officers, and ten sappers for duty in New Zealand.

I am to request that you will call Secretary Lieut.-General Peel's attention to the fact that Major-General Chute does not state for how long these officers and soldiers are to be retained in the Colony, and I am to add that Lord Carnarvon presumes that they are only retained till the rest of the troops leave the Colony, and that Major-General Chute should clearly understand that no troops are to be left except on the conditions prescribed by Her Majesty's Government.

I have, &c.
(Signed) FREDERIC ROGERS.

The Under Secretary of State for War.

Encl. 3 in No. 7.

Enclosure 3 in No. 7.

SIR, War Office, October 13, 1866.

IN reply to your letter of the 9th instant, relative to the retention in New Zealand of certain officers, non-commissioned officers, and men of the Royal Engineers, I am directed by Secretary Lieut.-General Peel to transmit, for the information of the Earl of Carnarvon, the enclosed copy of a report, addressed by the Commanding Royal Engineer to the General Officer Commanding in New Zealand, explanatory of the reasons which governed the decision of Major-General Chute in allowing the retention in the Colony of the officers and men in question.

I have, &c.
(Signed) EDWARD LUGARD.

Sir Frederic Rogers, Bart.
&c. &c. &c.

Sub-Enclosure.

Sub-Enclosure.

SIR, Royal Engineer Office, Auckland, June 2, 1866.

IN reference to instructions recently received from the War Office by the Major-General Commanding, relative to the immediate return to England of the 6th Company Royal Engineers, I have the honour to request that you may be pleased to move the Major-General to retain in the Colony a small portion of the company, until the decision of the Home Authorities shall have been received respecting the superintendence of, and the keeping of the accounts connected with, the works at the several stations, which important duties have hitherto been performed by non-commissioned officers of the company.

Exclusive of Auckland there are, as you are aware, six principal stations in the command at which barracks for troops have been erected, the current repairs of which barracks cannot be effected from one centre, in consequence of the stations being so widely separated from each other.

Nor could the estimates for the current financial year (which were framed on the understanding that the works would, as hitherto, be done by military labour) admit of the repairs being executed by contract, the rates of wages paid to civilian artificers being at least seven times greater than those paid to military artificers. Under these circumstances, and taking also into consideration, that although the very reduced departmental staff that will remain after the company shall have embarked, namely, two officers of Engineers (besides myself), a clerk of works, and a staff clerk, might suffice for the superintendence of the works if the latter were concentrated, it would be quite insufficient for it with the stations so distant from each other.

I therefore trust that the Major-General may be pleased to sanction the retention of two non-commissioned officers and seven sappers to assist in the superintendence of works.

And as the troops in New Zealand are still on the footing of an army in the field, and in the event of any renewal of hostilities, myself and the other officers of Engineers whom the Major-General has decided shall, for the present, be retained in the Colony, would, in all probability, be unable to induce civilians on whom any reliance could be placed to accompany us into the field as servants, I further beg leave to request that there may also be retained three sappers to be employed as servants, agreeably to the permission granted to officers of the corps by War Office Order $\frac{6600}{2221}$, dated 28th January 1862, a copy of which is hereto annexed.

I have, &c.
(Signed) R. S. BEATSON,
Colonel Commanding Royal Engineers, New Zealand.

Enclosure 4 in No. 7.

NEW ZEALAND.

SIR, Downing Street, October 25, 1866.

IN reply to your letter of the 13th instant, I am directed by the Earl of Carnarvon to request that you will state to Secretary Lieutenant-General Peel that his Lordship does not doubt that General Chute decided rightly in retaining in New Zealand certain officers and men belonging to the company of Royal Engineers stationed in that Colony. Encl. 4 in No. 7

Colonel Beatson's letter, however, renders Lord Carnarvon apprehensive that neither that officer nor General Chute are sufficiently alive to the consideration that the defence of the Colony now rests exclusively with the Colonists, and that the troops in New Zealand (with the possible exception of one regiment) are not there for the purpose of being employed in any emergency which may arise, but are merely waiting embarkation. Lord Carnarvon scarcely understands, therefore, why the Home Government should be concerned with the custody or repairs of barracks which ought by this time to have been finally abandoned, or with the expense of any military works whatever, unless any should become requisite for the one regiment above mentioned.

I have, &c.

The Under Secretary of State for War. (Signed) FREDERIC ROGERS.

No. 8. No. 8.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 39.)

SIR, Downing Street, October 24, 1866.

I HAVE the honour to acknowledge the receipt of your Despatches Nos. 83,* and 84,† of the 17th of August, informing me of the resignation of Mr. Stafford's Ministry, and that the arrangements for the formation of a new Ministry had not been completed. * Page 6. † Page 7.

I have, &c.

Governor Sir George Grey, K.C.B. (Signed) CARNARVON.
&c. &c. &c.

No. 9. No. 9.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 43.)

SIR, Downing Street, November 7, 1866.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 85,‡ of the 24th of August, reporting the formation of a new Ministry under Mr. Stafford, and requesting that the Queen may be advised to approve and confirm the several appointments. ‡ Page 7.

Your Commission fully empowers you to appoint from time to time the members of your Executive Council, and it is not usual or requisite for Her Majesty to confirm these appointments when made by the Governors of Colonies possessing Responsible Government.

I have only therefore to express my satisfaction at learning that a Government has been formed.

I have, &c.

Governor Sir George Grey, K.C.B., (Signed) CARNARVON.
&c. &c. &c.

No. 10. No. 10.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 44.)

SIR, Downing Street, November 10, 1866.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 89,§ of the 8th of September, informing me that the state of affairs in New Zealand was daily improving, and enclosing a copy of a message which you had received from the so-called Maori king. § Page 7.

Your account is generally satisfactory, though I observe that Rewi still stands aloof.

NEW ZEALAND.

I hope, however, that you will be able before long to report his submission and his willingness to acquiesce in the arrangements which are being made by your Government.

I have, &c.

Governor Sir George Grey, K.C.B., &c. &c. &c.

(Signed) CARNARVON.

No. 11.

No. 11.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 46.)

SIR, Downing Street, November 20, 1866.

WITH reference to the correspondence noted in the margin, I have the honour to enclose the copy of an Act passed last session, "to guarantee the liquidation of bonds issued for the repayment of advances made out of public funds for the service of the Colony of New Zealand." I also enclose a letter from the Lords Commissioners of the Treasury, from which you will perceive that the guarantee which the Imperial Government is by the above Act authorized to give to certain debentures of the New Zealand Government has enabled the Lords of the Treasury to dispose of them at par, and that the sum of 500,000*l.* received for them from the Bank of England has been accordingly credited to the Exchequer in part repayment of the debt due to the Imperial Government from the Colony.

Gov. No. 34, March 10, 1865.*
Secretary of State. No. 54, July 26, 1865. †
No. 66, August 23, 1865. †
No. 12, January 26, 1866. ‡
Gov. No. 11, January 13, 1866. ‡

29 & 30 Vict. c. 104.

I have, &c.

Governor Sir George Grey, K.C.B., &c. &c. &c.

(Signed) CARNARVON.

Encl. in No. 11.

Enclosure in No. 11.

SIR, Treasury Chambers, November 9, 1866.

I AM commanded by the Lords Commissioners of Her Majesty's Treasury to request you will call the attention of the Earl of Carnarvon to the previous correspondence on the subject of the Imperial guarantee being given to certain debentures of the Colonial Government of New Zealand, and to the Act 29 & 30 Vict. c. 104. authorizing the guarantee to debentures to the amount of 500,000*l.*, specified in the schedule of that Act, and I am to request that you will inform his Lordship that my Lords have entered into an arrangement with the Governor and Company of the Bank of England for the purchase by them of these debentures at par, and that the signature of the Assistant Secretary to this Board has been affixed to each of the debentures, signifying, in accordance with the first section of the Act, the guarantee of the Lords Commissioners of Her Majesty's Treasury for the payment of the principal sums and interest, which may from time to time become due from the Government of New Zealand on the debentures specified in the schedule.

The sum of 500,000*l.* has been received from the Bank of England and credited to the Exchequer in part repayment of the debt due to the Imperial Government from the Colony.

I am, &c.

Sir Frederic Rogers, Bart. &c. &c.

(Signed) GEORGE WARD HUNT.

No. 12.

No. 12.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 49.)

SIR, Downing Street, December 1, 1866.

I ENCLOSE for your information copies of three letters which I have received from the War Office with their enclosures.

Oct. 8, 1866. Oct. 24, 1866. Oct. 29, 1866.

The most important of these is that which contains copies of General Chute's letter to you of the 26th of July, and of your answer of the 18th of August.

I regret that on a subject so important as that of withdrawing Her Majesty's troops from New Zealand I should derive almost the whole information which I possess from letters transmitted through another Department, and I feel the disadvantage of having to act without your own explanations on intelligence which is thus only communicated to me. But the nature and authenticity of that intelligence renders it unavoidable that I should do so. I have, indeed, delayed sending this Despatch in hopes that I might

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* Vide Papers presented June 2, 1865, page 5. † Vide Papers presented February 1866, pages 221 and 227.
‡ Vide Papers presented June 26, 1866, page 72.

receive from you information which might render it unnecessary. Unfortunately your Despatches this day received are completely silent on the subject, and leave me no alternative but to make this communication.

In the first place I observe with regret that up to the date of the latest official advices, which now reach to the middle of September, five regiments of infantry were still in New Zealand, and in endeavouring to ascertain how this has happened, I am struck by the circumstance that while General Chute appears to have requested as long ago as the 20th and 23rd of April that he might be enabled to send away the 2nd battalion of the 14th regiment and the head-quarter wing of the 50th regiment, it was not till the 18th of August, nearly four months afterwards, that you signified to him that you had no objection to this proposal.

The consequence has apparently been the detention of these and probably of other troops long after they ought to have left the Colony.

Again, I find that as long ago as the 27th of November 1865* Mr. Cardwell wrote to you in the following terms:—

* Vide Papers presented February 1866, page 259.

"The reduction now made in the whole number of the Imperial troops remaining in "the Colony renders it necessary that these troops should be concentrated; and you "will, if you exercise the power with which you are intrusted in respect of the three "battalions and one battery, or any portion of them, take care in concert with the "General in command that they are not left in distant and isolated posts."

This instruction, that troops should not be left in distant posts at a great expense to the Home Government, was applied to troops for whom the Colony was to pay, and was evidently applicable *à fortiori* to troops for whom the Colony refuses to pay anything, and it is but too obvious how large an expense is thrown on the British Treasury by a non-compliance with the instructions of the Home Government. In execution of them, Major-General Chute appears to have addressed to you a letter dated the 20th of April, in in which he wrote as follows:—"As it is clearly the intention of Her Majesty's Govern-"ment that the troops are not for the future to be dispersed in distant and isolated "posts, I beg most urgently to request that I may at once be permitted to withdraw "Her Majesty's troops from the outposts in each district, and to concentrate them at "the chief towns, viz. Wanganui, New Plymouth, and Auckland, and should your "Excellency think it necessary, at Wellington or Napier; thus enabling me to dispense "with all inland transport, for which no provision has now been made by Her Majesty's "Government."

Yet, on the 18th of August, in answer to a request from General Chute, that he may be authorized to withdraw the troops from the outposts, you write as follows:—"I concur "with my Responsible Advisers in thinking that if all Her Majesty's troops are withdrawn "from the outposts to the chief towns they would be entirely useless to the Colony, "and that I ought not at the present moment to give my acquiescence to such an "arrangement."

I do not wish to assume in this or in any other part of the correspondence any disposition to oppose yourself to the declared policy of Her Majesty's Government, which, as you will have seen, has been enforced by later Despatches. But I think it my duty to take every means in my power to prevent any further delays, either in the concentration or in the embarkation of Her Majesty's troops.

That there is at present delay is indisputable, and the papers before me appear to show that it is due partly to a want of hearty co-operation between the civil and military authorities in giving effect to the instructions of the Home Government, and partly to a misapprehension on your part of the view with which the troops are retained in the Colony.

You observe that if withdrawn from the outposts they would be useless to the colonists. But it is not with the object of being useful that they are now in New Zealand. The Colony has long since adopted the duty of protecting itself, and Her Majesty's troops are no longer there for the purpose of protecting it, but merely remain, or ought merely to remain in default of the transports necessary for sending them away.

Under these circumstances I see no escape from the chances of further misconceptions and delays but by placing Her Majesty's troops under an undivided control. While the troops are merely awaiting embarkation, there is no reason why the Governor of the Colony should have any greater authority over them than if they had merely touched at Wellington in their passage from one part of the empire to another.

You will accordingly understand that (with one exception hereafter to be noticed), you are not at liberty to exercise any control over the movements or disposition of Her Majesty's troops; and I shall request the Secretary of State for War to inform Major-General Chute that (with the same exception) the disposition of all those troops will hereafter rest exclusively with him; that it is not his duty to seek your authority for moving

NEW ZEALAND.

them, but is at once to concentrate them in such a manner as will be most economical and most convenient for embarkation, and then to embark them as speedily as he can obtain transport. Your duty will be confined to that of providing to the utmost of your power that General Chute receives every facility that your Government can afford him in giving effect to his instructions. It will rest with the Colonial Government to be prepared for the consequences of a withdrawal of troops, on the propriety of which the Imperial and Colonial Governments are agreed, and on the faith of which Her Majesty's Government has entirely ceased to interfere with their native policy.

The exception to which I have adverted is that of the single regiment, which you will be at liberty to retain in the Colony in case the grant of 50,000*l.* per annum for native purposes shall be continued. With regard to this regiment, if it remains in New Zealand, I do not wish to interfere with the ordinary authority which you are free to exercise as a Colonial Governor. I wish to hear from you as soon as possible whether it will remain under the above conditions. But I think it necessary clearly to point out that it must remain under the conditions indicated in Mr. Cardwell's Despatch of the 27th of November, as well as others which, though usually well understood, it may be advisable to express.

The troops must not be placed in distant and isolated parts, or employed virtually as a frontier or Native police. They must be concentrated in places of easy access where adequate barrack accommodation exists, and subject to the conditions usually required for the maintenance of discipline and other military necessities.

The officer in command would not be at liberty to consent to their location at posts where these conditions are wanting.

I shall communicate a copy of this Despatch to the War Office in order that corresponding instructions may be given to General Chute.

I have, &c.

Governor Sir George Grey, K.C.B. (Signed) CARNARVON.
&c. &c. &c.

Encl. 1 in No. 12.

Enclosure 1 in No. 12.

SIR, War Office, October 8, 1866.

I AM directed by Secretary Lieutenant-General Peel to acknowledge the receipt of your letter of the 2nd instant, with its enclosed Despatch from the Governor of Tasmania respecting the continued absence of troops from that Colony.

In reply, I am to refer you to the Despatches from Major-General Chute, copies of which accompanied the letters from this Office of the 23rd July and 21st August last, as containing an explanation of the reason why he had failed to fulfil the orders which he had received from the Secretary of State for War for the restoration of the troops withdrawn from the Australian Colonies; the reason being that he had been prevented by Sir George Grey.

I have, &c.

Sir F. Rogers, Bart., (Signed) EDWARD LUGARD.
&c. &c.

Encl. 2 in No. 12.

Enclosure 2 in No. 12.

SIR, War Office, October 24, 1866.

WITH reference to recent correspondence on the subject of supply of rations to the Colonial forces in New Zealand, I am directed by Secretary Lieutenant-General Peel to transmit, for the information of the Earl of Carnarvon, the enclosed copy of a letter from Deputy Commissary-General Strickland, dated Auckland, 7th August 1866, upon this subject.

I have, &c.

Sir Frederic Rogers, Bart., (Signed) EDWARD LUGARD.
&c. &c.

SIR, Commissariat, New Zealand, Auckland, August 7, 1866.

I HAVE the honour to report to you, for the information of the Right Honourable the Secretary of State for War, that I have just returned from Wellington, where the Major-General commanding has temporarily established head-quarters. I used every effort, through the Major-General, to learn the intentions of his Excellency the Governor as to the removal of troops, and on other points referred to in enclosure 190*c*, dated 11th June 1866, forwarded to you in my letter No. 52, dated 26th June 1866. I have entirely failed in gaining any information, and I believe I am correct in stating that the Major-General conveyed to me all he knew on the subjects I have alluded to.

At the time of my departure from Wellington the Major-General commanding was still awaiting replies to letters addressed to his Excellency. Under these circumstances it has become necessary to treat the decision of his Excellency the Governor, communicated to me by the Assistant Military Secretary in his letter No. 4691, dated 25th May 1866 (copy of which was enclosed in my letter to you above quoted), as still holding good, viz., that the circumstances under which the issue of rations from this Department is made to the Colonial forces "amounts to a pressing and extraordinary "emergency affecting the safety of the Colony." Acting upon this, it became my duty to leave nothing to chance in the due execution of the onerous duty imposed upon me, especially on the West Coast, between Taranaki and Wanganui. The "Gundagai" had scarcely begun her work afresh at the Patea river when she became almost a total wreck upon the bar of that river; and at this same time

without any warning to this Department, the Colonial Government sent about 270 infantry and 40 cavalry to be stationed in the country between Patea and Waingongoro. This was an ill-timed addition in the middle of winter, when in anticipation of a withdrawal of outposts under proper instructions the coast depôts had been permitted to fall low, and our steam transport, on which such confident reliance had been placed, had broken down, and the Hokatika gold diggings had drawn away from Wanganui well nigh all the coasting craft.

The news of these difficulties reached me at Nelson *en route* to Wellington. At Nelson, and afterwards at Picton, I sought in vain to charter vessels adapted to my wants.

It became now an imperative necessity to replace the "Gundagai" by another suitable steamer, to avoid the responsibility of not meeting properly a "pressing and extraordinary emergency affecting "the safety of the Colony."

At Wellington I met Deputy Assistant Commissary-General Graham, who had come overland from Wanganui to report to Major-General Chute what I have now written. The result of careful inquiry from Mr. Graham as to the quantities of stores in the depôts on the coast, the means available of replenishing them, the actual condition of the "Gundagai," and the number of rations required to be daily provided by the Department, was to convince me that I had rightly decided regarding the "Gundagai" steamer. I therefore recommended to the Major-General commanding that a steamer should be immediately procured at Canterbury. This recommendation was approved of, and I at once proceeded to Canterbury to carry it out, taking Deputy Assistant Commissary-General Graham with me.

I succeeded in chartering the steamer "Waipara" on the terms stated in the agreement, copy enclosed. The cost is 100*l.* per month in excess of that paid for the "Gundagai," but she is well worth the difference, being a twin screw steamer, built expressly in England for bar harbours. She sailed out here, making a very short passage, and for working on a bar or in a surf is unrivalled on the coast.

I have now instructed the officers on the coast to come to a clear understanding with the officer commanding the Colonial troops that we cannot undertake to provide any land transport for their supplies; we have only sufficient land transport to maintain the force of Imperial troops on the coast. Therefore it will be necessary for the Colonial Government to hire its own land transport, this Department only undertaking to land what stores may be required by the Colonial force at the existing depôts approachable by sea.

I am now preparing a statement of the extra expenses incurred by this Department on account of the Colonial Government, including the cost of the "Waipara," under the circumstances above related. The amount will be found duly charged against the Colony; and it may be relied upon that I shall always keep the expenditure of the field force still or hereafter to be employed as low as possible. I only trust that my efforts have not failed to make it clear that after the declaration made by his Excellency the Governor, herein quoted, I was obliged to act as I have done, despite the orders which have been sent from home. On this point I gladly seize this opportunity of stating that, so long as the troops are retained in the Colony and stationed at outposts, as at present, it will not be possible to carry out the retrenchment of expenditure, or of officers or subordinates of this Department ordered from home.

I have now got rid of the last military officer temporarily employed in this Department. I hope soon to send home Deputy Assistant Commissary-General Cattell, and he will be followed by Deputy Assistant Commissary-General Draper, whenever he has completed the examination of some Colonial accounts required by Commissary-General Jones, C.B.

I have, &c.

The Under Secretary of State for War,
War Office, London, S.W.

(Signed) E. STRICKLAND,
Deputy Commissary-General.

Enclosure 3 in No. 12.

Encl. 3 in No. 12.

SIR, War Office, October 29, 1866.

WITH reference to your letter of the 22nd June last, and subsequent correspondence, relative to the withdrawal of the troops from New Zealand, I am directed by the Secretary of State for War to transmit to you, for the information of the Earl of Carnarvon, the accompanying copy of a Despatch, which has been received from Major-General Chute, with its enclosures, on the subject. Sept. 8, 1866.

I have, &c.

Sir Frederic Rogers, Bart.,
&c. &c.

(Signed) EDWARD LUGARD.

SIR, Head-quarters, Wellington, September 8, 1866.

I HAVE the honour to acknowledge the receipt, on the 5th instant, of your letter of 26th June 1866, relative to the withdrawal of troops from New Zealand, and beg to enclose, for the information of the Right Hon. the Secretary of State for War, copies of correspondence I have had with the Governor on this subject.

M.-Gen. to Gov. July 26, 1866.
Gov. to M.-Gen. Aug. 18, 1866.
M.-Gen. to Gov. Aug. 20, 1866.
Gov. to M.-Gen. Aug. 22, 1866.
M.-Gen. to Gov. Sept. 5, 1866.

In compliance with the authority contained in his Excellency's letter of 18th August, the 2/14th foot and head-quarters wing of the 50th are now concentrating in Auckland, and the resident transport officer has been instructed to provide tonnage to convey them to the Australian colonies with the least possible delay.

I have, &c.

The Under Secretary of State,
War Office, London.

(Signed) T. CHUTE,
Major-General.

SIR, Head-quarters, Wellington, July 26, 1866.

WITH reference to your Excellency's letters of the 10th and 21st May last, respecting the removal of my head-quarters from Auckland to Wellington, which your Excellency stated that you considered absolutely necessary before you could decide what posts occupied by Imperial troops should be reduced or abandoned, I have the honour to state to your Excellency that since my arrival here on the 29th June last, in compliance with your Excellency's wishes, I have waited anxiously for a commu-

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nication of your Excellency's decision with regard to the withdrawal of Her Majesty's troops from the outposts, and especially of the 2/14th and wing of the 50th regiment, whose removal to the Australian colonies I have, as your Excellency is aware, received such positive orders from home.

I beg again to invite your Excellency's attention to the following letters which I have had the honour of addressing to your Excellency at the dates specified, but to which I have not as yet been favoured with any reply, viz.—

No. $\frac{131}{66}$ of April 23, 1866, relative to withdrawal of wing 50th from Taranaki for Australia.

No. $\frac{127}{66}$ of April 20, 1866, asking whether the posts occupied by 2-14th are to be abandoned, or relieved by Colonial troops.

No. $\frac{64}{66}$ of March 17, 1866, stating 2/14th was next to leave the Colony, and asking whether troops may leave it more rapidly than one regiment in two months, and for instructions about further occupation of posts in Waikato district.

I now most earnestly beg your Excellency will be good enough to favour me with replies to my letters above quoted, in order that I may keep the Secretary of State for War informed of the causes of the continued detention of Her Majesty's troops, and, if possible, as to the probable length of time to which your Excellency may find it necessary still further to detain them.

I need scarcely add, that until I receive some indication as to even the probable time at which your Excellency will allow the 2/14th regiment, and the wing of the 50th to be withdrawn from the outposts for removal to Otahuhu and embarkation for Australia, I am unable to instruct the resident transport officer to incur the responsibility of engaging tonnage for their conveyance. I would again, therefore, very respectfully urge your Excellency to comply with my applications for your instructions relative to those corps, as well as with regard to the withdrawal of all Her Majesty's troops from the outposts to the chief towns, for your Excellency's sanction for which I made an urgent appeal to your Excellency in my letter No. $\frac{125}{66}$ of the 20th April last.

I have, &c.
(Signed) T. CHUTE,
Major-General.

His Excellency Sir George Grey, K.C.B.

SIR, Government House, Wellington, August 18, 1866.

IN reply to your letter of the 26th ultimo, No. $\frac{252}{66}$ I have the honour to inform you that I have no objection to offer to the withdrawal and embarkation of the 14th and the wing of the 50th regiments.

With regard to the latter part of the letter above referred to, I concur with my Responsible Advisers in thinking that if all Her Majesty's troops are withdrawn from the outposts to the chief towns they would be entirely useless to the Colony, and that I ought not at the present moment to give my acquiescence to such an arrangement.

I have, &c.
(Signed) G. GREY.

The Honourable Major-General Chute,
&c. &c. &c.

SIR, Head-quarters, Wellington, August 20, 1866.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 18th instant, authorizing my withdrawing the 2/14th regiment and the wing of 50th regiment, and embarking them for Australia.

I beg to submit for your Excellency's consideration the enclosed memoranda, showing the changes in distribution of the troops in Taranaki, Wanganui, and Napier districts, which the above reduction of the force in this command renders in my opinion necessary, and I will feel obliged by your Excellency informing me whether you approve of them, in order that I may arrange for the immediate removal of the troops to the Australian colonies.

I have, &c.
(Signed) T. CHUTE,
Major-General.

His Excellency Sir George Grey, K.C.B.,
&c. &c. &c.

WANGANUI.

Present Distribution of the Troops in the Wanganui District.

	2/14th.	2/18th.
Wanganui	303	23
Alexander's Farm	42	—
Wereroa	50	—
Waitotara	—	64
Patea, Left Bank	—	68
„ Camp	—	260
Kakaramea	—	56
Manawapou, Right Bank	—	65
„ Left Bank	—	73
Waingongoro	—	108
Parakino	58	—
	453	717
Civil and military prison and sick	46	56
Totals	499	773

Proposed Distribution of the 2/18th Regiment in the Wanganui District.

	R. & File.
Wanganui	300
Alexander's Farm	42
Wereroa	50
Waitotara	64
Patea, Left Bank	68
„ Camp	193
	717
Civil and military prison	56
	773

Imperial troops abandoning Waingongoro, Manawapou, Kakaramea, and Parakino.

Wellington, August 20, 1866.

TARANAKI.

Present Distribution of the 50th Regiment in the Taranaki District.		Proposed Distribution of the Wing of the 50th Regiment in the Taranaki District.	
	R. & F.		R. & F.
Taranaki—New Plymouth - - - -	232	Strength, 350 rank and file, effective.	
Stoney River - - - - - -	88	New Plymouth - - - - -	250
Warea - - - - - - -	145	Stoney River - - - - -	100
Opunake - - - - - - -	103		350
	568		

Wellington, August 20, 1866.

NAPIER PROVINCE.

Present Distribution.			Proposed Distribution.	
	Rank & File.			R. & F.
Napier - - - - 1/12th	72		Napier - - - - - 1/12th	127
" - - - - 2/14th	119			
		191		
Wairoa - - - - 1/12th	62		Abandoning Wairoa and Waipawamate, and withdrawing whole of detachment 2/14th.	
Waipamate - - - 2/14th	55			
		117		
Total - -		308		

Wellington, August 20, 1866.

SIR, Government House, Wellington, August 22, 1866.

IN reply to your letter of the 20th instant, No. $\frac{272}{66}$, I have the honour to inform you that I consider the posts hitherto occupied at Manawapou, Waingongoro, Opunake, and Warea should be retained, and that garrisons are not necessary at New Plymouth, Wanganui, or Napier.

I have, &c.

The Honourable Major-General Chute. (Signed) G. GREY.

SIR, Head-quarters, Wellington, September 5, 1866.

IN forwarding for your Excellency's consideration the copy of a communication I have this day received from the Under Secretary of State for War relative to the withdrawal of Her Majesty's troops from New Zealand, I have the hnour to request that your Excellency will be pleased to inform me as to whether I am at liberty to make any further arrangements for the departure of Her Majesty's troops beyond the embarkation of the 2-14th regiment and head-quarter wing of the 50th regiment about to proceed to Australia in compliance with the authority conveyed in your Excellency's letter of the 18th ultimo.

I beg more particularly to invite your Excellency's attention to the third paragraph of the Under Secretary's letter, in which I am instructed to send from the Colony as speedily as possible, unless the required provision shall have been made, every soldier, whether infantry, artillery, or engineer, in excess of one regiment, and that regiment also unless I am informed by your Excellency that the sum of 50,000*l.* per annum has been devoted to native purposes and I beg to request that I may be informed whether it is the intention of the Government of this Colony to contribute the sum of 40*l.* a head for infantry and 55*l.* for artillery for any troops remaining in excess of one battalion, and also whether it is their intention to devote the sum of 50,000*l.* per annum for the special benefit of the native population. I would further request your Excellency's permission to send home immediately all Her Majesty's troops in excess of those for whom the Colonial Government may make provision, in accordance with the instructions contained in the enclosed Despatch.

With regard to the two last paragraphs of the Secretary of State's letter, I would observe that on receiving your Excellency's authority to withdraw the troops from the outposts they now occupy, I shall at once be enabled to arrange for the departure of the military train.

I have, &c.

His Excellency Sir George Grey, K.C.B., &c. &c. &c. (Signed) T. CHUTE, Major-General.

No. 13.

No. 13.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 50.)

SIR, Downing Street, December 5, 1866.

I HAVE the honour to acknowledge the receipt of your Despatch No. 101* of the 8th October, reporting that you had on that day closed the session of the

* Page 8.

NEW ZEALAND.

General Assembly of New Zealand, and forwarding copies of your speech on that occasion.

I have, &c.

Governor Sir George Grey, K.C.B., &c. &c. &c.

(Signed) CARNARVON.

No. 14.

No. 14.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 55.)

SIR, Downing Street, December 22, 1866.

* Page 9. I HAVE the honour to acknowledge the receipt of your Despatch, No. 102,* of the 12th October, enclosing a Memorandum from your Responsible Advisers and a copy of a vote of thanks unanimously passed by the New Zealand House of Representatives to Commodore Sir W. Wiseman, Bart., C.B., and the officers, seamen, and marines, of the vessels under his command, for the many services rendered by them while employed on the coasts of the Colony.

I have had much pleasure in communicating to the Lords Commissioners of the Admiralty this recognition by the Government and House of Representatives of the assistance which the Colony has received from the officers and men of Her Majesty's navy during the Native disturbances.

I have, &c.

Governor Sir George Grey, K.C.B., &c. &c. &c.

(Signed) CARNARVON.

No. 15.

No. 15.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 56.)

SIR, Downing Street, December 28, 1866.

† Page 11. I HAVE to acknowledge your Despatch, No. 105,† of the 15th of October, in which you urge a reconsideration of the decision adopted by the Secretary of State for War, that the head-quarters of General Chute should remain at Auckland.

The immediate question raised by your Despatch appears to have been long since practically settled by the removal of General Chute's head-quarters to Wellington, in

‡ Page 44. accordance with your wishes; and my Despatch, No. 49,‡ of the 1st of December will have, I hope, removed some misconception which I think led you to attach so much importance to General Chute's presence in your own immediate neighbourhood.

These misconceptions, however, are so evident in the Despatch before me that I feel obliged to notice one or two passages in it.

You state your opinion that the decision taken by the Secretary of State for War is likely to entail serious disaster on the Colony and a large expenditure on Great Britain.

I am most earnestly anxious to disabuse you of any expectation which may remain in your mind that the Imperial Government will allow itself to incur large expenditure, or any expenditure beyond that which may be involved in the maintenance of a single regiment of infantry, in the protection of the colonists of New Zealand against the Native inhabitants of the Islands. By the act of my Predecessor in this office the management of Native affairs was transferred to the Local Government, and the duty of self-protection was devolved upon the colonists of New Zealand. That duty they have deliberately adopted. The Colonial Government have been allowed to exercise that control by way of extensive confiscation and otherwise in a manner to which the Home Government, as Mr. Cardwell has stated, if responsible for the consequences of their actions, would not have given their sanction. They are not inclined to repudiate the pledges on the faith of which this freedom of action has been accorded to them or to evade its legitimate consequences. On the contrary, complaints have actually been made that Her Majesty's Government were keeping troops in the Colony against the wishes of Local Government. In this state of things I must request you most clearly to understand that the troops (with the possible exception which I have noticed) will be with-

drawn, and will not be restored. The colonists will be expected to do that which they can do, which they have promised to do, and which I am bound to add they show no disinclination to do, namely, to provide for their own defence. I earnestly trust that there is no party in the Colony which looks to the support of British arms in any future Native war, or at least that no such expectation will be allowed to influence the policy of yourself or your Advisers. If any Colonial Government were to involve itself in such a war in reliance on military assistance from this country, they might plunge the Colony for a time at least into disasters which it is needless for me to contemplate.

In another part of your Despatch you observe that the sudden removal of so large a body of troops from a country circumstanced like New Zealand, is a very critical operation; this is perfectly true, but I must add it is an operation which has not been imposed upon you. It was in February 1865 that General Cameron was instructed to send home from New Zealand five of the regiments then in the Colony. We are now at the end of December 1866, and I am not yet apprized that the British force in the Island is reduced to a single regiment. Such a withdrawal, therefore, can hardly be termed sudden. Finally, I must observe that while you thus appear to cling to the expectation of continued assistance from this country, your own reports, or rather the absence of reports from you, show how little you recognize any continued responsibility to the Imperial Government for the conduct of the war. While in your Despatch of the 15th October you inform me that a trooper of the Colonial forces had been killed by some hostile Natives, you leave me to learn from the newspapers that in the neighbourhood of Hawke's Bay a body of Natives, who refused to give up their arms, had been attacked by the Colonial forces in their pah (which is said to have been unfortified) and driven into the bush, 23 of them being killed, and a like number wounded; and that a Native village on the west coast, after being summoned to surrender, was attacked by a Colonial force, and escape being cut off, about 30 or 40 persons were killed.

In the account before me this last transaction is described as "the most brilliant affair "of this guerilla war." Meantime your own Despatches, would hardly lead me to suppose that any recognized warfare was in progress. I need hardly observe that if at any time it were alleged in this country that these affairs described by the Colonial press as brilliant successes, were, in fact, unwarranted and merciless attacks on unoffending persons, I have no authentic means of reply afforded me by your Despatches.

I have, &c.

Governor Sir George Grey, K.C.B., &c. &c. &c. (Signed) CARNARVON.

No. 16. No. 16.

COPY a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 4.)

SIR, Downing Street, January 31, 1867.

I HAVE to acknowledge the receipt of your Despatch of the 2nd November last, Separate,* announcing that Major Rocke of the 18th regiment had, in compliance with a requisition you had made direct to him, taken active measures with the force at his command against certain Native tribes.

* Page 12.

I have, &c.

Governor Sir George Grey, K.C.B., &c. &c. &c. (Signed) CARNARVON.

No. 17. No. 17.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 5.)

SIR, Downing Street, February 1, 1867.

I HAVE to acknowledge the receipt of your Despatch of the 3rd November,† transmitting a copy of a letter you had had from Major-General Chute on the subject of his head-quarters remaining at Auckland, and forwarding reports you had received from various parts of the Colony showing the state of the Natives.

† Page 13.

NEW ZEALAND.

In regard to the place in which the head-quarters of the army should be stationed, I need only refer you to my Despatch of the 28th December, No. 56.*

* Page 50.

I sincerely regret the controversies which have unfortunately so long subsisted between yourself and the officers successively commanding Her Majesty's troops in New Zealand, and I can only hope that all occasion for them will be removed by the recent instructions which have been sent out to yourself and the officer in command.

I also regret that you should have any cause to complain that communications are made by officers in the Colony on matters in which you, as Governor of the Colony, are concerned, without affording you an opportunity of answering or commenting upon them. In submitting a copy of your Despatch to Major-General Peel for his information, I shall suggest to him the propriety of recalling Major-General Chute's attention to the instructions by which he was directed to guide himself in this respect.

At the same time I must observe that you do not intimate any intention of communicating to General Chute a copy or the substance of the Despatch to which I am now replying.

I notice that at the date of that Despatch a great peril had, in your opinion, again arisen in the country. I am glad, however, to perceive that in your subsequent Despatch of the 10th November† you express a more hopeful expectation of the prospects of the Colony.

† Page 22.

I have, &c.

Governor Sir George Grey, K.C.B., &c. &c. &c.

(Signed) CARNARVON.

No. 18.

No. 18.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 6.)

SIR, Downing Street, February 1, 1867.

I HAVE to acknowledge the receipt of your Despatch of the 5th November last, Separate,‡ with copies of a correspondence between General Chute and yourself regarding the withdrawal of the detachments of the 57th regiment from the Waikato River.

‡ Page 20.

I am unable to judge whether the Imperial troops being in Waikato at a critical moment were properly detained there for a short time longer than General Chute proposed. I entertain little doubt, however, that they ought to have left that district long ago, in pursuance of the instructions conveyed to you in Mr. Cardwell's Despatches on the subject, and I can only acquiesce in their present detention in Waikato, on the supposition that it will not have delayed their embarkation.

I have, &c.

Governor Sir George Grey, K.C.B., &c. &c. &c.

(Signed) CARNARVON.

No. 19.

No. 19.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 7.)

SIR, Downing Street, February 1, 1867.

I HAVE the honour to acknowledge the receipt of your Despatch, Separate,§ of the 6th of November, forwarding copies of letters from the Resident Magistrate of the Upper Whanganui, and from all the principal chiefs of Taupo.

§ Page 21.

I have, &c.

Governor Sir George Grey, K.C.B., &c. &c. &c.

(Signed) CARNARVON.

No. 20.

NEW ZEALAND. No. 20.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 8.)

SIR, Downing Street, February 1, 1867.

I HAVE to acknowledge the receipt of your Despatch of the 10th November, Separate,* forwarding reports furnishing information regarding the steps taken for the punishment of the Natives engaged in outrages in the disturbed part of the Colony. * Page 22.

I am glad to find that you do not anticipate any fresh disturbances of importance.

I have, &c.

Governor Sir George Grey, K.C.B., &c. &c. &c. (Signed) CARNARVON.

No. 21.

No. 21.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 9.)

SIR, Downing Street, February 1, 1867.

I transmit to you herewith a copy of a letter from the officer in charge of the Treasury Chest in New Zealand to the Lords Commissioners of the Treasury, forwarding copy of one he had addressed to the officer in command of Her Majesty's troops in that Colony relating to the continued expenditure of Imperial funds for Colonial purposes. 8 Nov. 1866.

It is stated by Deputy Commissary Strickland that such issues from the Treasury Chest on this account were still going on (presumably under your authority or on your request) for which no monthly repayments are made, and that the debt of the Colony to the Imperial Government was daily increasing.

As this statement of the continued issues from the Treasury Chest is so directly at variance with the repeated instructions which you have received on the subject, I forward Mr. Strickland's letter to you for any explanation you may have to make upon it.

As I have not been apprized by you of any intention to station Her Majesty's troops in the centre of a purely Native district, I assume that no such intention exists. It is, however, right to state—or rather to repeat—that you will not be at liberty to require the Imperial regiment left in the Colony to be stationed in Taupo or anywhere else except in or near one of the great centres of population, nor to direct their removal from those centres except in case of active operations against an enemy, nor even then unless the Colony undertakes to reimburse the Imperial Government month by month the transport and other expenses consequent on their removal, nor for any longer period than while those expenses are in fact reimbursed according to the undertaking of the Government.

I shall transmit a copy of this Despatch to General Peel, in order that a copy of it may be forwarded to General Chute for his information and guidance.

I have, &c.

Governor Sir George Grey, K.C.B., &c. &c. &c. (Signed) CARNARVON.

Enclosure in No. 21.

Encl. in No. 21.

SIR, Commissariat, New Zealand, Auckland, November 8, 1866.

I HAVE the honour to enclose to you herewith, for the information of the Lords Commissioners of Her Majesty's Treasury, copy of a letter which I have addressed to the Major-General Commanding, directing his attention to continued expenditure of Imperial treasure in this Colony, notwithstanding the orders to the contrary which have been received from home.

Under date of the 16th April last I endeavoured to put an end to the issue of rations by this Department to the Colonial forces. The Major-General Commanding only directed it to be continued on receiving from his Excellency the Governor an assurance to the effect that such issue was necessary under "a pressing and extraordinary emergency affecting the safety of the Colony."

The many and very clear orders which have reached here from home to economise, even to cease Imperial expenditure for Colonial military purposes, has within my knowledge only produced noteworthy effect in two instances, viz.:—

1st. In May last it was promised that payment would be made by the Colony to this Department monthly for all rations issued by it to the Colonial forces, commencing from 1st June 1866. Payment for June has been made except for issues made at Wanganui, amounting to 384*l.* 3*s.* 2*d.*, which remains outstanding.

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Payment for July was applied for on 12th September, but has not yet been made.

2nd. On 26th August, 1866, it was notified to the Department that the issue of rations by it to the Colonial troops at Tauranga and Maheta were to cease from 1st September 1866.

It is to be remarked, however, that co-existent with these reductions on the East Coast there has been a steady increase in the demands made on this Department on the West Coast, *e.g.*, the cost of rations issued to Colonial troops from April last has been as under on the West Coast:—

May	-	-	-	£58	2	5	July - -	£1,070 10 7
June	-	-	-	384	3	2	August - -	- 1,250 2 4

It would appear that Colonial forces have been removed from one coast to the other, and the scene of expenditure is but shifted with the scene of strife. The same principle is steadily acted upon, viz., that of obtaining from Imperial funds a maintenance for Colonial forces.

I would wish to draw particular attention to the actual state of affairs in the Colony at this moment.

1st. Imperial troops are retained in the Colony although no appropriation has been made by the Colony for them.

2nd. A portion of the troops are actively engaged in an aggressive warfare at an increased expense to the Imperial Treasury.

3rd. Another and a large portion is still dispersed over the Colony, defending lands confiscated from the rebels.

No one can foresee an end to the petty desultory war now being waged in the Colony, and it is alleged that it occasions a necessity for the employment of Imperial troops as described; but as Colonial forces are not enrolled in numbers sufficient to replace Imperial troops, even in their present diminished numbers, it results that Imperial troops may possibly be retained in the Colony contrary to orders for an indefinite time; and it is to be observed that the Colony not only omits to contribute to the support of these troops, employed on Colonial service, but calls upon the Imperial Commissariat to ration the Colonial forces.

I have in vain waited from month to month hoping to see an armed force and an administrative machinery raised and set in motion by the Colony, to replace Imperial troops and departments ordered to be withdrawn.

As this work has not been done, I much fear that even though the Imperial troops be reduced to one battalion the Colony will still rely upon receiving Imperial aid in rations, unless steps be taken to enforce here orders written at home. It can hardly be necessary for me to point out that it would be difficult to devise a more expensive form of aid than that of rations in a country like New Zealand, especially if even the most petty war is permitted to be waged, for this aid can only be given by the employment of a very cumbrous and costly machinery.

In proportion as the tranquillity of the Colony is uncertain, so am I anxious to see a limit put to Imperial expenditure, and all financial arrangements between the Imperial and Colonial Governments placed upon such a footing as would be at once fair to both interests, and at the same time least likely to be disturbed, even though war became a chronic evil in New Zealand.

Under existing systems the indebtedness of the Colony to the Imperial Government is permitted to increase daily, and if the active operations now commenced at Katemarai burst into a war flame (and this is quite possible and very generally expected), I dare not say how far this increase might extend, for the means hitherto adopted of enforcing economies here have not always produced the anticipated results. I deem it right thus to give early warning of what may arise within the Colony, in order that time may be available to you as far as possible to apply whatever remedies may be considered necessary.

I should mention also that, even though matters quiet down on the West Coast, there exist good grounds for supposing that from other causes the peace of the Colony may be disturbed. I allude to the report current on high authority that it is contemplated to occupy Taupo, in the centre of the Island with an Imperial force. At best this would be a hazardous measure. If it be interpreted by the Natives, as is not improbable, into a determination on our part to take forcible possession of their country at any price, the natural consequence would be that the last spark of Native confidence in the white man would be extinguished, and they would band together in a strong spirit of exasperation against us. War and increased expenditure would follow. But even if the establishment of Imperial troops at Taupo be quietly effected, the cost of supporting them there will be excessive as compared with what it would be at settlements on the sea coast, or at any of the places indicated by the Secretary of State for War as those places which are to be garrisoned by Imperial troops. Thus in any case the measure in question can hardly fail of materially affecting Imperial expenditure. For these reasons I bring it to your notice, and would remark that I have done so on no vague or irresponsible report.

I have, &c.

(Signed) E. STRICKLAND,
Deputy Commissary-General.

The Secretary to the Treasury.

SIR, Commissariat, New Zealand, Auckland, November 8, 1866.

I HAVE the honour to request that you will be good enough very respectfully on my part to direct the attention of the Major-General commanding to the recent field operations on the West Coast, in which the Imperial troops have been actively employed in an unsettled district, neither for the protection of settlers or their property.

Mr. Cardwell in his Despatch No. 97, dated 27th November 1865, to his Excellency Sir G. Grey, says: "I have already told you that Her Majesty's Government would not approve of the protection "by the Imperial troops of land taken from the rebels." In the same Despatch it is directed that troops remaining in the Colony are to be concentrated, that they are not to be left in distant and isolated posts.

Again, under date of 26th November, in his Despatch No. 113, Mr. Cardwell says: "Her Majesty's "Government cannot permit these troops to be dispersed in distant and isolated posts, nor allow the "cost of inland transport to be a charge upon Imperial funds."

All these orders notwithstanding, confiscated lands are still being protected in various parts of the Colony by Imperial troops; the troops are not concentrated as directed, and the cost of inland transport is made to bear heavily upon the Imperial treasury. Even more, it is announced in the local press that his Excellency the Governor has recently organized an expedition upon the West Coast for purposes of aggression, and has employed upon it a considerable amount of Imperial troops, including a reinforcement of the permanent land transport still maintained in the country.

I cannot but attach much importance to the re-employment of an Imperial element in this Colonial war, not alone because an Imperial expenditure is thus recommenced, the termination of which it is impossible to foresee, but also because such a course is contrary to the avowed policy of the Colonial Government, dating from 1864.

This policy has been accepted and insisted on by Mr. Cardwell, who has directed that no Imperial force is to remain in the Colony except at the request of Ministers, and upon their undertaking to propose to the Assembly the required capitation charge.

Again, Mr. Cardwell has informed his Excellency the Governor that it is the fixed purpose of Her Majesty's Government that no Imperial troops shall remain in New Zealand for whom the necessary appropriation has not been made.

Since the receipt of this Despatch in the Colony the Assembly has met and has been prorogued, and no appropriation has been made by it for the Imperial troops now in the Colony, not even, as far as I can learn, for the one battalion of infantry which was to have been retained under special conditions, and which I am informed by you is to form the Imperial military force in this Colony.

I would earnestly urge the expediency of some steps being taken by which the reiterated orders of the Secretaries of State for War and the Colonies may be carried out, and a stop be put to the large expenditure of Imperial treasure which is still insisted upon in this Colony, not alone in the issue of rations to Colonial troops which was called for by his Excellency in May last under "a pressing and "extraordinary emergency affecting the safety of the Colony;" but now by the active employment of Imperial troops for Colonial purposes, and by increasing the demand on this Department for the issue of rations to Colonial troops in very inaccessible positions over a large extent of wild country.

The cost of rations is by transport and otherwise thus much increased, and the Imperial Government is compelled to maintain throughout the Waikato, along the West Coast, in the Napier country, and at Tauranga an expensive administrative machinery and considerable depôts of stores which might long ago have been dispensed with had the orders received from home been complied with here.

I would propose that after the 31st December 1866 the issue of rations from this Department to the Colony shall cease, and that a representation be forwarded home thereof.

1st. How Imperial troops have been employed in this Colony during the financial year.

2nd. That a sufficient number of Colonial troops during all that time has not been raised to take the place of the Imperial troops, admitting that it is necessary still to retain military possession of confiscated land.

3rd. That no appropriation has been made by the Colony for the Imperial troops retained in the Colony for and employed in Colonial interests.

4th. That it is impossible to foresee a termination of this state of things, which has been so long and anxiously expected.

5th. And suggesting that all extra expense incurred by the retention of Imperial troops in the Colony beyond the one battalion specially provided for be made a charge against the Colony from 1st April 1866, the period fixed by the Secretary of State for War for the concentration of the Imperial troops in certain garrisons.

I have, &c.
(Signed) Ed. Strickland,
D. C. G.

The Assistant Military Secretary,
Wellington.

No. 22.

No. 22.

Copy of a DESPATCH from the Right Hon. the Earl of Carnarvon to Governor Sir George Grey, K.C.B.

(No. 10.)

Sir, Downing Street, February 1, 1867.

I received by the last mail your Separate Despatch of the 2nd of November last,* forwarding a copy of a Despatch addressed to you by direction of Major-General Chute, in relation to a memorandum of your Responsible Advisers "regarding the inaction main- "tained by Her Majesty's Imperial troops in a disturbed district."

You did not, however, transmit a copy of the Despatch which was addressed to General Chute by your desire on the 15th of October, or of any previous correspondence on the subject.

I should therefore have obtained a very imperfect understanding of the matter without the further information which I have received from the Secretary of State for War, who has forwarded to me the full correspondence, as noted in the margin, between yourself and General Chute, and a letter from His Royal Highness the Field Marshal Commanding in Chief, of which I enclose a copy.

By the mail which has this day arrived I received your Despatch of November 28th, No. 108,† enclosing a copy of the Despatch General Chute addressed to the Secretary of State for War on the 1st of November last on the subject.

Sir G. Grey to M.-Gen. Chute, July 11, 1866.
M.-Gen. Chute to Sir G. Grey, July 12, 1866.
Sir G. Grey to M.-Gen. Chute, July 28, 1866.
M.-Gen. Chute to Sir G. Grey, Aug. 6, 1866.
Private Secretary to Assistant Military Secretary, Oct. 15.
Assistant Military Secretary to Private Secretary, Oct. 24.
Memo. by Ministers, Oct. 12.
Horse Guards to War Office, Jan. 12, 1867.

* Page 12.

† Page 31.

This correspondence confirms me in the opinion which I have already expressed, that the Imperial troops cannot be too promptly or too completely withdrawn from New Zealand, and also shows the expediency of the instructions conveyed to you in my other Despatch, No. 9,* of the 1st inst., which in effect confines the Imperial troops to the duty of garrisoning the main centres of population, and leaves to the Colonial forces the conduct of active operations in unsettled or partially settled districts.

* Page 53.

I must, however, in addition to these instructions, add this further direction, in which I anticipate your concurrence, that in any district in which active operations may have to be carried on conjointly by Imperial and Colonial forces, those operations, although of course undertaken, under instructions from the Governor and on his responsibility, must be under the military control, not of the Governor nor of the Ministry, but of the officer in command of Her Majesty's troops.

It must be clearly understood that any employment of Her Majesty's troops in active operations can only be permitted on this condition.

I have, &c.
(Signed) CARNARVON.

Governor Sir George Grey, K.C.B.,
&c. &c. &c.

Encl. in No. 22.

Enclosure in No. 22.

Horse Guards, January 12, 1867.

SIR,

I AM directed to acknowledge the receipt of your letter of the 7th instant, in which you request that the Field Marshal Commanding-in-Chief may be moved to favour General Peel with his opinion of the correspondence which has passed between the Governor of New Zealand and the Major-General commanding the troops in that Colony relative to a Memorandum which had been addressed to his Excellency by his Responsible Advisers commenting upon the conduct of Her Majesty's troops in the Whanganui district.

In reply, I am desired to express His Royal Highness's opinion that nothing can be more insulting to Her Majesty's troops serving in New Zealand than the Memorandum of the Colonial Ministers, forwarded to Major-General Chute by the Governor without comment, and of which the Major-General most properly complains.

Major-General Chute's explanation regarding the orders and instructions he had considered it necessary to give to the Officer commanding at Whanganui, and his reply to the unjustifiable reflections cast on the troops under his command by the Colonial Ministers, are entirely satisfactory to His Royal Highness.

It appears to the Field Marshal Commanding-in-Chief incomprehensible how the Colonial troops in New Zealand can be ordered by the Local Authorities to act independently of Her Majesty's Imperial forces, and without being placed under the authority even of the Major-General commanding Her Majesty's troops.

Such a procedure His Royal Highness believes is quite opposed to every principle and every regulation which has obtained in similar cases with the auxiliary forces of the Empire. Whenever, for instance, the Militia at home are called out for permanent duty they are instantly placed under the military authorities, it is the same also as regards the Yeomanry and even the Volunteers, should their services be required by the necessities of the State. Such has been the rule also in our Colonial possessions.

Why, therefore, an attempt should be made to act on an entirely different principle in New Zealand His Royal Highness is at a loss to conceive. He considers that nothing but mischief can arise to the State from such an attempt to subvert the fundamental principles upon which the Government have hitherto always acted; and His Royal Highness submits that the interests of the country and the honour of all the forces concerned will be best consulted by the present anomalous state of affairs in New Zealand being at once corrected, and the most positive orders issued that the long established practice obtaining in other parts of Her Majesty's dominions is on no account to be deviated from.

I have, &c.
(Signed) W. F. FORSTER.

The Under Secretary of State,
War Office.

COPY of the CORRESPONDENCE referred to in Lord Carnarvon's Despatch, No. 10 of Feb. 1, 1867.

Government House, Wellington, July 11, 1866.

SIR,

I HAVE the honour to enclose the copy of a report from Major McDonnell, relating to an ambuscade laid by the Natives on the West Coast with a view to kill himself and a small party of persons who were in company with him.

This renewed outrage has made the Government determine to have positions occupied at Ketemarae and other places in its vicinity, from whence the persons concerned in these acts may be held in check, and prevented from committing further atrocities.

A force of Europeans and a detachment of the Native Contingent is about to be sent to Ketemarae to execute in part this service; and I should feel much obliged to you if you would give such orders as you may deem best suited to attain the speedy accomplishment of the same object, as the best hope of putting an end to outrages of the nature of that which has recently been committed is to take early steps to prevent their repetition, and to punish the authors of them.

I have, &c.
(Signed) G. GREY.

The Hon. Maj.-Gen. Chute,
&c. &c.

SIR, Head Quarters, Wellington, July 12, 1866.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of yesterday's date, informing me of a new outrage on the part of the Rebels on the West Coast, and stating that the Colonial Government are about to send a force under Major McDonnell to occupy certain positions in the vicinity of Ketemarae for the purpose of repressing these outrages, and requesting me to assist by giving such orders as I may deem suited to attain the early accomplishment of the same object.

I shall have much pleasure in undertaking any operations against the Rebels in this country your Excellency may direct Her Majesty's troops to be employed in, but to do so it will be necessary that any Colonial troops that may be employed on the same service should be placed under my orders, which I gather from your Excellency's letter, as well as from the Memorandum of Ministers of the 9th instant, with a perusal of which your Excellency favoured me, is not the intention of the Government as regards the Colonial forces now being raised under the command of Major McDonnell.

It is from no disinclination to comply with any instructions your Excellency may be pleased to give me regarding further operations that I feel it my duty at the same time to state my opinion that the recommencement of operations by Her Majesty's forces will take it out of my power to comply with the orders from home for the withdrawal of the troops, and when I received your letter under reply I was about to invite your Excellency's attention to my letter of the 20th April last, No. 127/66, in which I requested your Excellency's sanction for sending the 2/14 Regiment to Australia.

I should inform your Excellency, that on receiving a report from the officer commanding the Whanganui district, about a month since, that a party of surveyors had proceeded to the vicinity of Patea to survey the land under the protection of a detachment of militia. I directed him to instruct officers commanding posts to afford them any necessary support if interfered with by the Natives.

I have, &c.

His Excellency Sir George Grey, K.C.B., &c. &c. &c.

(Signed) T. CHUTE, Major-General.

SIR, Government House, Wellington, July 28, 1866.

IN reply to your letter of the 12th instant, I have the honour to state that I cannot think that such aid as I requested you, in my letter of the 11th instant, to afford to the civil power for the purpose of punishing those engaged in a serious outrage near Ketemarae, and of preventing the repetition of such outrages, would have taken it out of your power to comply with the orders from home for the withdrawal of the troops from this country.

I believe that in any part of Her Majesty's dominions in which the Queen's forces may be it is their duty to render such aid to the civil power as I asked for, and I think that if it had been promptly rendered the permanent peace of the country lying near Ketemarae would have been ensured without delay, loss, or difficulty.

The Colonial Government had neither the power nor desire to take Her Majesty's Colonial forces in the Patea district, if acting with Her Majesty's regular forces, from under your orders. All I would ask is, that if Major McDonnell has to act without the assistance of the regular forces, he should not be impeded by them in the performance of this service by any orders being issued to him, or by any of his officers or men being taken from under his command.

I have, &c.

The Hon. Major-Ceneral Chute, &c. &c. &c. Head Quarters.

(Signed) G. GREY.

SIR, Head Quarters, Wellington, August 6, 1866.

WITH reference to your Exceellency's letter of the 28th July last, and also to the interview which I have since had the honour of having with your Excellency, when your Excellency was good enough further to explain your wishes, I have the honour to forward, for your Excellency's information, a copy of the instructions which I have sent to the Officer commanding at Whanganui for his guidance and that of Officers commanding posts.

The aid of the civil power, it is scarcely necessary for me state, is a standing duty of Her Majesty's forces, and all that is necessary is that that aid should be legally called for, as laid down in the Queen's Regulations and Orders for the Army.

I had already, on receipt of your Excellency's first letter of the 11th July, directed the Officer commanding at Whanganui to afford aid to Major McDonnell's party if it was absolutely necessary, and I had several months back instructed all Officers commanding posts to harass the enemy whenever they had an opportunity.

I would only observe, in conclusion, that I did not infer from your Excellency's letter of the 11th July that your desire for the employment of Her Majesty's troops was limited to what I now understand to be your Excellency's wish, and which, as I believe, I had already mainly anticipated.

I have, &c.

His Excellency Sir George Grey, K.C.B., &c. &c. &c.

(Signed) T. CHUTE, Major-General.

NEW ZEALAND.

Private Secretary's Office, Wellington,
October 15, 1866.

SIR,

I HAVE the honour, by direction of his Excellency the Governor, to forward for the information of the Major-General Commanding the enclosed copy of a Despatch from Major McDonnell to the Minister for Colonial Defence, together with a copy of a Memorandum which has been addressed to his Excellency by his Responsible Advisers.

I have, &c.
(Signed) W. R. GRAY,
Major, Auckland Native Contingent.

Assistant Military Secretary,
&c. &c. &c.
Head Quarters.

Colonial Defence Office, Wellington,
October 10, 1866.

THE following Despatch from Major McDonnell, Commanding Colonial Forces, Patea, is published for general information.

T. M. HAULTAIN.

SIR,

Patea, October 4, 1866.

IN my Despatch, No. 94, of the 26th ultimo, I had the honour to state, for the information of the Honourable the Defence Minister, that the Rebels in the vicinity of our position at Te Whenuku were becoming so bold and annoying us so much that unless a blow was inflicted upon them without delay it would be impossible to move outside the redoubt, and also that, notwithstanding the paucity of my numbers and the inclemency of the weather, I had determined at all risks to attack them at once.

By dismounting all the cavalry, and leaving in the three redoubts occupied by our forces barely sufficient men to hold them, viz., at Kakaramea, 25 of all ranks; at Hawera, 30 ditto; at Whenuku, 55 ditto; I was enabled to parade the following force* at Te Whenuku, and marched out of camp at 6.30 p.m. From information I had collected I was induced to believe that the bulk of the Ngaruahine were located some distance back in the bush, between the Waingongoro and Inaha rivers, and in a straight line not more than seven miles from our redoubts at the Whenuku, but the late heavy rains had so swollen the Waingongoro river that it could only be crossed by the bridge between the two Imperial redoubts near its mouth, thus necessitating a detour of over 12 miles.

*Staff—field officer, 1; surgeon, 1.
P. & W. Rangers—captain, 1; subaltern, 1; serjeant, 1; rank and file, 40.
W.Y. Cavalry—subaltern, 1; serjeants, 2; rank and file, 12.
W.D. Force—captain, 1; serjeant; rank and file, 10.
N.C.—captain, 1; subalterns, 3; serjeants, 2; rank and file, 44.
Volunteers—serjeants, 5.
Totals—field officer, 1; surgeon, 1; captains, 3; subalterns, 5; serjeants, 11; rank and file, 106. Total, all ranks, 127.

Of the exact whereabouts of the enemy I had no certain information, but trusted to drop upon them somewhere. Crossing the bridge at 9 p.m., I marched straight inland, and after proceeding about seven miles entered the bush at 12.30 a.m., at a point midway between the Inaha and Waingongoro rivers, having passed through the site of the village of Ahipaipu, burnt by Colonel Butler, 57th Regiment, in January last. The night was pitch dark, and we lost our way more than once. A cold bleak wind was blowing and the ground was wet and soft. Notwithstanding all these drawbacks the behaviour of the men was most exemplary. Pursuing the track through the bush for a mile, we emerged into a clearing, and there halted the force under the shadow of the trees to await daylight and to rest the men. When the first streaks of daylight appeared in the sky I moved on cautiously. The track led through alternate belts of bush and clearing and across a tributary of the Inaha, and shortly merged into a broad road; following this for some distance we came in sight of the village of Pangarehu, situated on the other side of a swampy creek, in a clearing intersected by strong cattle fences, and containing several large whares, five of which were fortified. As we crossed this creek and were ascending the other side the dogs began to bark. I immediately ordered the leading sections, under Captain Newland, to extend from the centre and to rush into the village. As we leaped the fences I called upon the inmates to surrender; they replied by heavy volleys from the doors and windows of the houses. We returned the fire, and rushing the fortified whares, scraped the earth off the roofs, and pulled down the slabs to fire at the inmates. In several instances they ran out of the doors, and firing their pieces into us, tried to escape into the bush, but were shot down. In half-an-hour we were masters of the position, and the firing ceased. While engaged in setting fire to the whares, and completing the destruction of the village, a heavy fire was suddenly opened upon us from the bush at the opposite side of the clearing, and it gradually increased and extended to our right, toward the road by which we had advanced on the place. As, from the heavy and incessant firing, it was evident that strong reinforcements of the enemy were hurrying up, and we already had three wounded, I determined upon retiring by another track which led across the Inaha river, and which I made some prisoners we had taken show me. I accordingly extended the whole force along one edge of the clearing, and kept the enemy in check whilst I collected the wounded. I sent three of them and the prisoners down the track I was about to return along, under a strong escort in charge of Serjeant-Major Hall, W.Y.C. I shortly passed the rest of the wounded (who by this time had increased to seven) to the front, and I formed a rearguard under Captain Leatham, W.D.F., and sent out flank skirmishers to the left under Ensign Poma, N.C., and to the right under Captain Kemp and Lieutenant Wirihana, N.C. These officers did their work so effectually that the Rebels were completely foiled in their attempts to outflank us and cut off our retreat. They were repeatedly driven back, and lost several of their men, and their leader, who was shot by Poma, and some of their guns; and in a short time they retired altogether, and the firing ceased. On reaching the open I made stretchers for the wounded, who had hitherto been carried

on blankets, and recrossing the Inaha proceeded to Waingongoro. Here I cannot speak too highly of the attention and kindness shown to us by Captain Noblett, 18th Royal Irish, commanding the Waingongoro Redoubts, and Assistant Surgeon Spencer, 18th Royal Irish.

Captain Noblett sent us carts to convey our wounded across the Waingongoro river, and prepared tents and beds for them, and Dr. Spencer gave his valuable assistance in dressing their wounds. As I have no hospital accommodation at Te Whenuku, and to save the wounded the fatigue of the journey to this post, Dr. Spencer has kindly undertaken to attend to them.

The three men returned as dead, expired soon after we reached Waingongoro, where they were interred with funeral honours the following day. Giving the force an hour's rest, I resumed my march to Te Whenuku, which I reached at 2.30 p.m.

I enclose a list of casualties. In Farrier-Serjeant Duff, W.Y.C., the country has lost a gallant soldier, and I one of my right-hand men. His conduct was always most conspicuous, and I deeply regret him.

I have conveyed to the force engaged on this occasion my hearty thanks for their gallant and steady conduct; and I now beg to submit for the favourable consideration of the Government the names of Ensign Northcroft, P.R.; Cornet Hirtzell, W.Y.C., and Surgeon Cambell, W.R., for coolness and intrepidity in removing the wounded under a galling fire to the rear, in doing which Cornet Hirtzell, W.Y.C., and Volunteer Wright were wounded. Private Economides, W.R., for gallantry in connexion with the capture of the prisoners; and Ensign Poma, N.C., and Volunteer Serjeants Rushton and Wright for conspicuous conduct in the repulse of the flank attack. The behaviour of Captain Leatham and his detachment of the W.D.F. was most praiseworthy.

Of Captain Newland, Patea Rangers, I cannot speak too highly; he was foremost in every part of the field, in the surprise of the village, the removal of the wounded and the repulse of the enemy.

The loss of the enemy I estimate at 30 killed; 21 were counted, and others could not be counted, as they were buried in the burning ruins of the houses.

Eight men and one lad were taken prisoners, and 20 or 30 stand of arms taken or burned in the whares. Some casks of powder were also seen to blow up.

The prisoners are in custody at Te Whenuku, and I hope to get valuable information from them.

I have, &c.
(Signed) THOS. MCDONNELL,
Major Commanding Colonial Forces,
Patea District.

Captain Holt, Under Secretary,
Colonial Defence Office, Wellington.

List of Officers, Non-commissioned Officers, and Men wounded at Pungarehu on the morning of the 2nd October 1866:—

Wounded (since dead).

Serjeant Duff, W.Y.C., right neck, mortally, since dead.
Private Green, W.R., chest, mortally wounded, since dead.
Volunteer Wright, right knee joint, mortally wounded, since dead.

Wounded.

Cornet Hirtzell, W.Y.C., right shoulder, severely.
Trooper Noonal, W.Y.C., hip, severely.
Volunteer Spencer, both legs, severely.
Private Monehira, N.C., left thigh, severely.

J. B. F. SUTHER, M.B.,
Assistant Surgeon, Local Forces,
Patea District.

Ketamarea, October 3, 1866.

SIR, Head Quarters, Auckland, October 24, 1866.

I HAVE the honour to acknowledge the receipt of your letter of the 15th instant, forwarding by desire of the Governor, and without any remark from his Excellency, for the information of the Major General commanding, the copy of a Despatch addressed by Major McDonnell to the Minister for Colonial Defence, and also a Memorandum of the Colonial Ministers dated the 12th October 1866, commenting on the conduct of Her Majesty's troops in respect to the subject of Major McDonnell's report.

In reply, I am desired by the Major-General to request you will be good enough to inform his Excellency that although he is at all times most glad to receive and to attend to any communication of his Excellency's own directions, wishes, or opinions on any subject, he has no desire to be made acquainted with any opinions that the Colonial Ministers may entertain with respect to Her Majesty's troops, which he has the honour to command. As, however, his Excellency has thought proper to make him acquainted with their opinion in this instance, the Major-General will submit to Her Majesty's Government, through the Secretary of State for War, a full explanation of the circumstances which have led to the Officer commanding Her Majesty's troops being subjected to the receipt of such a communication.

I have, &c.
(Signed) GEO. DEAN PITT, Lieut.-Colonel,
Assistant Military Secretary.

The Private Secretary,
Government House, Wellington.

NEW. ZEALAND.

For His Excellency the Governor,

His Excellency is respectfully requested to acknowledge the assistance rendered to the wounded by Captain Neblett and Dr. Spencer of the 18th Royal Irish, but at the same time Ministers cannot refrain from expressing their surprise that the Officers commanding the Imperial posts which were close the scene of Major McDonnell's operations should not have more actively assisted him.

It appears strange that the commanders of outposts, who have been instructed by the Major-General "to lose no opportunity in attacking the Rebel Natives, and by constant patrols and recon-"noitring parties to harass and annoy them as much as possible," should remain within their redoubts whilst a very difficult and hazardous enterprize was being undertaken by a few Colonial troops in their immediate neighbourhood. Major McDonnell would have been greatly aided and encouraged had a party moved out from Waingongoro on the morning of the 2nd to have covered his retreat or to have supported him in holding the position he had stormed, and he might have strengthened his small force by withdrawing more men from Kakaramea and Hawera could he have calculated that patrols from Patea and Manawapou would have been scouring the neighbourhood; but no assistance beyond attending the wounded when brought into their camp was afforded by the regulars, and it seems that in a district occupied by them and under the command of an Imperial Officer outrages may be committed, communications stopped, and redoubts fired into, whilst the punishment of the enemy, and the risks and hardships of a winter campaign are left to a small body of local troops.

(Signed) T. M. HAULTAIN.

12th October 1866.

No. 23.

No. 23.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 13.)

SIR, Downing Street, February 21, 1867.

Feb. 14, 1867.

I HAVE the honour to transmit to you for your information a copy of a letter from the Board of Treasury, enclosing a letter from Commissary-General Jones, reporting the measures which he had taken for effecting an adjustment of the accounts between the Imperial and the Colonial Governments, together with a copy of the reply which has been returned to that communication.

I request that you will take such steps as will secure a prompt examination of these accounts, if that examination is not concluded when you receive this Despatch.

I have, &c.

Governor Sir George Grey, K.C.B., &c. &c. &c.

(Signed) CARNARVON.

Encl. 1 in No. 23.

Enclosure 1 in No. 23.

SIR, Treasury Chambers, February 14, 1867.

I AM directed by the Lords Commissioners of Her Majesty's Treasury to transmit to you herewith, for the information of the Earl of Carnarvon, copy of a letter which my Lords have received from Commissary-General Jones, C.B., respecting the adjustment of the accounts between the Imperial Government and the Colonial Government of New Zealand, and also copy of the reply of my Lords thereto.

I am, &c.

The Under Secretary of State for the Colonies.

(Signed) GEO. A. HAMILTON.

Sub-Encl. in No. 23.

Sub-Enclosure in No. 23.

SIR, Wellington, New Zealand, November 24, 1866.

WITH reference to the instructions of the Lords Commissioners of Her Majesty's Treasury, desiring me to put myself in communication with an officer to be appointed by his Excellency the Governor to discuss the points in dispute, and to prepare in conjunction with him an account of the claims and counter-claims of the Colony and the Home Government, I now do myself the honour to report as follows for the information of their Lordships.

As the whole mass of the accounts and all the officers of the staff and departments were at Auckland, I respectfully urged that the proceeding should be commenced there; but his Excellency replied that the Auditor-General of the Colony had been appointed to meet me, and as his services were absolutely necessary at Wellington, he could not proceed to Auckland.

My only course was to prepare my accounts against the Colony in Auckland, and there collect all the supporting authorities and vouchers, and make all the necessary references to other departments.

Early in August I informed the Colonial Auditor-General what I was doing, and suggested that a similar account of the Colonial claims against the Imperial Government might be contemporaneously prepared in Wellington, and thus materially expedite the business. I received no reply.

On the 22nd September I arrived in Wellington with my accounts, &c. I called several times at the Auditor-General's office before I could see him, and it was not until the 25th of the month I did so, and

then for the first time was informed that he had never been appointed, and also that nothing had been done as I suggested towards preparing an account of claims against the Imperial Government.

I at once communicated to his Excellency the Governor, through his private secretary, this fact, and intimated that I was now detained in the Colony solely for the purpose of endeavouring to effect an adjustment of these accounts.

In reply two days afterwards I was informed that Major Richardson, member of the Executive Council, was now appointed to meet me in this duty.

I lost no time in seeing this officer, but he informed me that he had not been appointed, although he had been spoken to on the subject, and declined entering with me upon the business until he had been formally commissioned by the Governor.

When the commission was issued a few days subsequently he insisted upon commencing with the mere arithmetical audit of the numerous vouchers supporting my accounts, and for this purpose appointed an accountant from the town, who of course is utterly unacquainted with the whole nature of the claims.

Major Richardson then informed me that he was going to Otago for a time, and would give me no information regarding the period of his return, stating generally that he would return when he was telegraphed for. I represented this delay as unnecessary and tending to my detention in the Colony at some expense to the Home Government. I was merely informed that an account of the Colonial charges against the Imperial Government could not be prepared under three months.

In expostulating I referred to the account already prepared and laid before the House of Representatives, and a copy of which appears to have been enclosed with his Excellency's Despatch No. 42, dated so far back as the 12th May last, to the Right Hon. Edward Cardwell, M.P., &c. &c., and also to my communication to the Auditor-General of August last suggesting the preparation of an account; but I was only informed that about three months would be required to prepare the account, and nothing could be done earlier.

I could thus only conclude that it would not become me to press the investigation forward in the manner I considered best, as it was evident that my intentions were viewed with suspicion, as if my object was in some way calculated to prejudice the Colonial interests.

I therefore desisted from all further endeavour to press on the proceedings; but when the stipulated three months are expired I propose again urging expedition. Should further procrastination, however, be continued without satisfying me that the delay is necessary, I propose to use my own discretion how far it would be right for me to decline remaining longer in the Colony, as I feel confident that on my return to the United Kingdom I shall be quite in a position to satisfy their Lordships in all questions relating both to the claims and counter-claims under consideration.

I would feel obliged by your assuring their Lordships that I shall use my best endeavours to bring these questions to such a termination as will, I trust, be equally satisfactory to their Lordships and the Colonial Government; but at the same time I would solicit their forbearance should it appear to them that the affair is protracted beyond their expectations.

I may, however, mention that there are several points upon which information is required, both from the War Office and Admiralty, and my letters to both departments have not yet been answered.

Also, before a complete account can be prepared to the end of last financial year, the instructions solicited from their Lordships' Board by Deputy Commissary-General Strickland in April or May last, regarding the mode of computing the capitation charge for the year ended last 31st March, have to be received. Under these circumstances it will be seen the final adjustment of these accounts could not hitherto have been completed.

I have, &c.

The Secretary to the Lords Commissioners of Her Majesty's Treasury, London.

(Signed) H. STANLEY JONES, C.G.

P.S.—A copy of the correspondence between Major Richardson and myself is enclosed herewith for their Lordships' information.

(Signed) H. S. J.

Enclosure 2 in No. 23.

Encl. 2 in No. 23.

SIR, Treasury Chambers, February 14, 1867.

I AM directed by the Lords Commissioners of Her Majesty's Treasury to state, with reference to the last paragraph of your letter of the 24th November last, and to the instructions conveyed to you in the letter from this Board of 24th March last, that my Lords remain of opinion that the claims of the Imperial and Colonial Governments with respect to the expenditure in connexion with the late war in New Zealand must be considered by you without reference to the capitation charge.

The question as to the amount of that charge is still under the consideration of Her Majesty's Government, and must be reserved for final settlement in this country. At the same time my Lords desire that your report may be accompanied with every information in your possession as to the number of troops employed at various times in the Colony, so as to arrive at a correct estimate of the claim to be preferred against the local Government as soon as any decision is agreed to with respect to the amount of the rate.

I am, &c.

Commissary-General Jones, C.B., Wellington.

(Signed) GEO. A. HAMILTON.

NEW ZEALAND.

No. 24.

No. 24.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 14.)

SIR, Downing Street, February 25, 1867.

* Page 26. I HAVE the honour to acknowledge the receipt of your Despatch, No. 106,* of the 10th of November, enclosing for my information, in the absence of official documents, a copy of a Government Gazette containing the particulars of an engagement which took place on the 12th of October last between Her Majesty's Colonial forces and a body of armed rebels who were encamped in the district of Napier.

I am glad to receive this account of the dispersion of the Hau Haus who had appeared in this neighbourhood, and who were threatening the safety of the town itself.

The measures which were taken by the Superintendent of the Province for the expulsion of these fanatics appear to have been necessary for the security of the district, and to have been prompt and vigorous without being premature, while the military operations would appear to have been conducted with skill and gallantry.

I am also glad to receive your satisfactory explanation of your not having reported these proceedings at an earlier date.

† Page 50. You will observe that when in my Despatch of the 28th of December† I called your attention this subject, I had before me a Despatch from you which showed that you were still at Wellington on the 15th of October, two days after an account of the transaction had been published in the Hawke's Bay "Herald."

I have, &c.

Governor Sir George Grey, K.C.B., &c. &c. &c. (Signed) CARNARVON.

No. 25.

No. 25.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 15.)

SIR, Downing Street, February 26, 1867.

‡ Page 34. I HAVE the honour to acknowledge the receipt of your Despatch, No. 111,‡ of the 29th of November, in which you call my attention to the circumstances under which a detachment of Her Majesty's regular forces had been ordered into the field at Tauranga on the requisition of an officer of the local Government without your knowledge and concurrence.

Mr. Mackay's proceedings in asking for the support of Her Majesty's troops in taking the first step towards the appropriation of Native lands appear from the papers before me to have been very improper, and it is unfortunate that the instructions to Mr. Mackay and to the military officers were not sufficiently precise to prevent him from asking, and the military officer in command from affording assistance towards obtaining land for the settlers in a manner eminently calculated to involve the Imperial troops in fresh hostilities. I infer, however, from the tenor of your Despatch that the error will not be repeated.

I have, &c.

Governor Sir George Grey, K.C.B., &c. &c. &c. (Signed) CARNARVON.

No. 26.

No. 26.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 18.)

SIR, Downing Street, February 28, 1867.

I HAVE the honour to enclose the copy of a letter from the War Office transmitting a Despatch from General Chute, of which I presume you have already received a copy,

§ Page 13. and which contains his comments on your Despatch to me of the 3rd of November.§ The letter from the War Office will show you how it happened, that I was not aware of your having communicated your Despatch to General Chute till after the mail of the 1st of February had left England.

I am glad to find that no irregularity had been committed on your part in the conduct of this correspondence. Her Majesty's Government do not perceive that the correspondence requires them to give any fresh directions on the subject of your Despatch, either to yourself or to General Chute, or to express disapproval of anything which is shown to have been done by him or you.

They consider that the public interest will be best consulted by allowing the controversy to close with the withdrawal of the troops.

I have, &c.
(Signed) CARNARVON.

Governor Sir George Grey, K.C.B.
&c. &c. &c.

Enclosure in No. 26.

Encl. in No. 26.

War Office, February 11, 1867.

SIR,

WITH reference to your letter of the 1st instant, enclosing the copy of the answer which the Earl of Carnarvon had returned to the Despatch of the Governor of New Zealand dated the 3rd November last, on the subject of the military head-quarters remaining at Auckland, I am directed by Secretary Lieutenant-General Peel to acquaint you, for the information of his Lordship, that a copy of this answer was transmitted to Major-General Chute by the mail of the 1st instant, and the Major-General's attention was specially called to that portion of it which had reference to Sir George Grey's complaint, that communications were made by officers on matters in which he was personally concerned without his having an opportunity of answering or commenting on them.

In the hurry of replying by the mail of the 1st instant to the Despatches received from the Major-General commanding on the same day, Major-General Chute's explanation, however, upon this point escaped notice. I am now to forward for Lord Carnarvon's information the enclosed copy of Major-General Chute's Despatch of 30th November last, containing marginal comments upon this and other statements made by Sir George Grey in the Despatch of the 3rd November referred to.

I have, &c.
(Signed) EDWARD LUGARD.

Sir Frederic Rogers, Bart.,
&c. &c.

Sub-Enclosure in No. 26.

Sub-Encl. in No. 26.

Sir G. Grey's Despatch.

New Zealand, Te Whenuku,
Nov. 3, 1866.

MY LORD,

I HAVE the honour to transmit for your information the copy of a letter I have received from Major-General Chute on the subject of his head-quarters remaining at Auckland.

2. General Chute informs me that he has transmitted a copy of this letter to the Secretary of State for War, remarking, in reference to my request that he would under the serious aspect of affairs now prevailing in this country reside near me, "that he is "unable to gather from my letter what "useful object to the public service will be "attained by his absenting himself from the "place where the regular duties of his "command can be best conducted."

Major-General Chute's Reply.

2. It will be observed that my letter of the 24th October, the groundwork of his Excellency's Despatch, was (as shown in my letter to you of the 1st instant) addressed to him in reply to his communication of the 15th of October, in which his Excellency adverted solely to the state of the Whanganui district, and expressed an opinion in regard to it, that the officer commanding Her Majesty's forces should be either at the seat of Government or in the neighbourhood of the disturbed country. Now as I had returned from Wellington but a few weeks, and as while I was residing there, the suppression of the continued disaffection of a portion of the Natives of the Whanganui country had been specially intrusted to an officer of the Colonial forces (the circumstances of which are fully explained in my Despatch of the 1st instant, No. 342/66), and as his Excellency's letter of the 15th October conveyed no instructions for the employment of Her Majesty's troops, I regarded his communication as an official renewal of the opinion he had already expressed, and from which it was unfortunately my duty to differ in regard to the question of the location of my head-quarters. It was for the reasons above stated that I ventured to observe in my reply that unless his Excellency had any instructions to give me for the employment of the troops, I was unable to gather from his Excellency's letter of the 15th October what useful object to the public service would be attained by my absenting myself from the place where the usual and regular duties of my command could be best conducted,

NEW ZEALAND.

Sir George Grey's Despatch.

3. In answer to this I beg to enclose copies of letters which reached me the same evening by the same mail as General Chute's letter, herewith enclosed, from various parts of the Island. I believe when your Lordship has read these you will think it incredible that under such a state of things the General Officer commanding here should be ordered to maintain his head-quarters at a distance in point of time of fifteen (15) days from the Government of the country.

4. I have in vain represented that in a country settling down from rebellion, and from which a large military force is being withdrawn, the order for the removal of each separate detachment is a matter of the greatest nicety, requiring much thought, and that frequent changes in the state of the country may require a corresponding change in the intended removal of detachments even at the last moment, and that it was essential that the General should be near me. A reference to my correspondence will show how earnest and repeated have been my statements to this effect to the Home Government and to General Chute. The evils I stated would arise if I was deprived of the assistance

Major-General Chute's Reply.

but as the Secretary of State will have observed, I added that, in deference to his Excellency's opinion, I was proceeding to Whanganui. The result of my visit there is explained opposite paragraph 11.

It was not, therefore (as his Excellency no doubt from forgetfulness states), in reply to any request made by him with reference to the serious aspect of affairs then prevailing "in the country," that I made the observation of which he complains, but solely and entirely in reference to the state of the Whanganui district, to which the expression of his opinion in the letter of the 15th October was limited. Had his Excellency when he wrote that letter entertained any serious apprehensions for the country at large, he would, I presume, have stated them, as he now does in his Despatch. Indeed I understood from his Excellency's Despatches home, so far as I have seen them, and from his speeches to the General Assembly, that he considered the general state of the country a subject for congratulation.

3. The letters which accompany his Excellency's Despatch do not, in point of time or place, bear on the subject of his letter of the 15th October, or of my reply of the 24th, of which his Excellency complains. I would observe, however, with regard to the reports of the murder of a European by the Natives in the Waikato, that they are scarcely conclusive proof of the violent intentions of the Natives, as in another part of the same correspondence it is officially reported that the murdered man was seen afterwards alive and well at Te Awamutu. I do not, however, in making this remark mean for a moment to imply that there is no likelihood of another outbreak in any part of the country. On the contrary, I believe that the native mind is in some places in a very unsettled state, but I am also sure that alarming reports have been circulated from time to time when there was little ground for them.

From the reports forwarded with my Despatch of the 30th instant, No. 361/66, as to the recent employment of some of the Imperial troops in the Whanganui district under his Excellency's personal instructions, it would appear that his Excellency is satisfied that the result of the recent movement of the troops, Imperial and Colonial, in the Whanganui district has been the restoration of peace in that part of the country. With reference to the other parts of the northern island, which are most likely to be the scene of future disturbances, should any occur, viz., Waikato and Tauranga, my services are geographically much more readily available at Auckland than they would be at Wellington, so far distant, as his Excellency observes, in point of time. The only other district to consider is Napier, where there are only 130 of Her Majesty's troops stationed. A party of hostile Natives showed themselves lately in the neighbourhood of Napier. The services of the few of Her Majesty's troops available were declined by the local authorities, and the Militia and Volunteers of the district readily and creditably disposed of the hostile Natives.

4. Her Majesty's Government having long since directed the withdrawal of all detachments from advanced posts, and I having myself, as the Secretary of State is aware, urged on his Excellency to allow me to carry out my orders for their withdrawal, the whole question of the detention of these troops at all, or any of the posts still maintained, is one with which I have ceased to have had anything to do beyond awaiting his Excellency's decision. His Excellency therefore being responsible for the detention of the troops at the outposts, and never having seriously consulted me on the subject of the maintenance or withdrawal of any particular detachment, there can be, so far as I see, no inconvenience to the public service in this respect resulting from head-quarters being at Auckland beyond the delay of the three or four days for the transmission to me of the

Sir George Grey's Despatch.

I needed have now, I fear, come. Some of them have already fallen on the Colony, and nothing but vigorous and united action can avert the others.

5. The Home Government has unfortunately from imperfect knowledge sided in view with the Major-General. I shall, however, now require him to reside at the seat of Government until further orders are received from home, unless he is in the field, and at all risks I shall enforce this determination; but I believe that General Chute, when he sees this Despatch and its enclosures, will himself feel the necessity of rendering me that assistance he is so well capable of doing, and will earnestly and well support me in the crisis which has come. I think, however, that the General here should be told that in a country in a state of rebellion it is his duty in all instances, in a conciliatory and proper spirit, to comply with lawful requisitions of the Governor, and not to raise factious or needless questions regarding the propriety of these; and even if he thinks it right to raise questions to comply cheerfully in the first instance with the requisition, and then refer the question home, rather than contest a matter point by point and refer it home, either not complying with the requisition or yielding it an imperfect and therefore useless compliance until an answer has been received. Above all things he should be instructed not to refer such questions home without an opportunity of reporting on them by the same mail by which his letter goes.

Major-General Chute's Reply.

order of withdrawal, and I am sure his Excellency will give me credit for not allowing a day's delay to take place after he favours me with his orders.

I am not aware what those evils are which his Excellency states have befallen the country, but whatever they are, and if any one be responsible for them, Her Majesty's Government have before them the best means of determining where that responsibility lies. It is a question on which I am not competent to judge beyond feeling that I have not the remotest connexion with it.

5. As the first sentence of this paragraph implies that the Home Government, when deciding that Auckland was the place for military head-quarters, acted on imperfect information submitted by me, and as the subsequent part of this paragraph implies that I acted improperly in submitting the question as I did to the Secretary of State, it is right that I should here state clearly my action in the matter.

In November 1865, on receiving the first communication from his Excellency stating the inconvenience he sustained from my not being at Wellington (to which place the seat of Government had been removed), I submitted to him the serious objections that existed to the permanent establishment of head-quarters at Wellington at such a distance from the Executive Military Departments, at the same time informing him that I would myself visit Wellington from time to time, and in addition, whenever he particularly wished it; meanwhile, if he so desired, stationing a staff officer of rank there to furnish him with any information he might require. His Excellency did not reply to my letter, and when five months had passed I inferred that he considered the reasons I submitted to him against my continued residence at Wellington to be sufficient, and that he allowed the matter to drop.

It will have been observed that in my letter of the 7th December 1865, a copy of which was enclosed in my Despatch of the 7th April, No. 154, I intimated that I proposed submitting the matter to Her Majesty's Government. When five months passed without any answer from his Excellency, I then thought it my duty to acquaint the Secretary of State with what had passed, and to obtain his approval or otherwise of my opinions; and this I did not so much on the grounds of the general importance of the question, which, from his Excellency's silence, I could not believe to be paramount, as because I was desirous of ascertaining for my future guidance in conducting the duties of the command whether the Secretary of State for War agreed in my opinion that the discipline and administration of the force could be best provided for by my being on the spot here with the Military Departments.

I furnished his Excellency on the 21st May, at his request, with a copy of my Despatch to the Secretary of State of the 7th April, and his Excellency did not then think it necessary to animadvert on the evils which he now states resulted from not having received it before; and the Secretary of State will have seen, as his Excellency himself must have seen, that there was nothing in that Despatch of the 7th April of which his Excellency had not been previously in possession. The next time his Excellency wrote to me on the subject was in his private note of the 13th April, a copy of which was forwarded in my Despatch No. 167/66 of the 7th May 1865. In my Despatch of the 8th June, No. 213/66, transmitting copies of my applications to his Excellency for the withdrawal of the troops in compliance with peremptory instructions from the Secretary of State for War, was enclosed a copy of his Excellency's next communication (10th May) to me with regard to my head-quarters.

On reference to these letters, as well as to my Despatch of the 1st inst. (enclosing his Excellency's last letter), the Secretary of State will, I trust, consider that I have just cause for most respectfully protesting, as I now do,

NEW ZEALAND.

Sir George Grey's Despatch.

6. The Home Government does not rightly appreciate the position of the military staff in this country. They become from many causes liable to identify themselves strongly with party questions; and the Secretary of State for War may, under the system of correspondence pursued with him, entirely without his own knowledge and in ignorance of the merits of the case, be made the head of a powerful party in this country, acting in direct opposition to the Governor, and defeating his views on most vital points.

7. In the case under consideration the matter of the place where the General's head-quarters were to be located was referred to the Secretary of State for War without my having been informed that this had been done. But the editors of Auckland newspapers knew it, as also some of the reasons on which the General justified his non-compliance with my orders; and this knowledge was used for the purpose of attacks in the press here, and ultimately the Home Government came to a decision upon General Chute's letter to them before they had received any report from me on the subject, and entirely under a misapprehension that I had asked something to be done which had never entered into my imagination; and upon other grounds, some of which have arisen, it is painful to those acquainted with the country to read such as that Wellington is unfitted to be head-quarters from the dangerous navigation of Cook's Straits and from the inexperience of Wellington merchants in taking military contracts. It is more disadvantageous than might be at first supposed that the Home Government be hurried into a wrong decision upon such questions, for I have generally found that the depart-

Major-General Chute's Reply.

against the Governor's attributing to me the "raising of "factious and needless questions," because I have unfortunately been compelled, in the exercise of a responsible command, to inform him that its usual and regular duties can be best conducted where the military departments and establishments are located. I can scarcely conceive that his Excellency can refer to my letters to him respecting the withdrawal of the troops; they may certainly have appeared to him too importunate, but the often-repeated instructions of the Secretaries of State for War and the Colonies on this subject, together with the statements made by his Excellency in his speech to the Assembly, and of the Ministers in the debates in that House, rendered it necessary that I should clearly show I was not responsible for any delay in their departure.

I have in every instance complied cheerfully with the Governor's requisitions to proceed to Wellington whenever he required me. I have gone there without receiving any such requisition, and am prepared, as I have already assured his Excellency, to go there again. But I must state that although his Excellency is kind enough to attach so much importance to my presence, I have never been able to see, as mentioned in my Despatch of the 1st inst., No. 343/66, that my residence there was of the slightest assistance either to his Excellency or the Colonial Government.

In illustration of this I may mention that though it is, I believe, usual in these Colonies for the officer commanding the forces to be a member of the Executive Council, I have never been sworn nor invited to be a member. I should not think of noticing this fact except to illustrate, in answer to his Excellency's representations, the value really attached at present in New Zealand to the counsel of the general officer commanding Her Majesty's forces.

6. It is scarcely necessary to reply to this paragraph. I am not aware what the causes are which in the Governor's opinion render the military staff liable to identify themselves with party questions. Whatever they may be, I will simply and broadly deny that either myself or the officers of the staff by whom I am surrounded have in any way identified themselves with party questions. There is not the slightest ground for such an idea.

7. The fact of my having referred home the question of the location of my head-quarters has been already disposed of in paragraph 5. The imputation that my views on the subject were communicated either by me or officers of the staff to editors of papers, I on my own and their behalf indignantly repel. On the remainder of the paragraph it is not for me to make any remark.

Sir George Grey's Despatch.

ments at home before coming to a decision will carefully consider the evidence they then have before them, but that it is very difficult to get them to reconsider a subject or to reverse a decision once taken, however erroneous that decision may have been.

8. But this at least must be conceded, that a man governs a country under great disadvantages when officers in that country can write direct to Her Majesty's Government without informing him that they have done so, on a most important subject regarding which they have differed with him in opinion, and have their own views peremptorily confirmed and his set aside without any report from him on the subject having been sent to Her Majesty's Government or having been asked for, and this especially when one portion of the press in the Colony has been informed of the purport of the letters written to Her Majesty's Government.

9. The fact of editors of papers having been informed of the steps taken by the military authorities shows that some of these authorities regarded it as a party or personal question. If persons who act thus can have their wishes pressed on the Secretary of State for War without the Governor knowing that this has been done, and the Secretary of State for War moves the Colonial Minister to issue orders in conformity with their wishes and in direct opposition to the wishes of the Governor, who has had no warning that the question has been referred home, then these gentlemen become really the hidden and irresponsible rulers of the country.

10. In reference to the statement made in the letter from General Chute, herewith enclosed, that military operations against the disaffected Natives in the Whanganui district had been placed in the hands of an officer of the Colonial forces without any reference to the General's control or authority, I would state that we are in the field here a small mixed force of Her Majesty's Imperial troops, Her Majesty's Colonial forces, and Natives, trying our utmost to extinguish a local rebellion which was rapidly spreading. How can we in moments of immediate peril appeal to the control or authority of a General more than fifteen days from us in point of time? The operations are under the direction of Major Rocke, of the 18th R. I., a good and promising officer, and are not under the direction of a Colonial Officer.

11. The fact is that the operations of the military forces of all kinds are paralysed by the absence of the General. Events of urgency occur from day to day which render necessary constantly varying instructions to officers commanding different posts. These instructions the Governor can only give through the General. It is useless to attempt to do so through an officer at such a distance as it is proposed the General should be kept from me. I am certain your Lordship and the Secretary of State for War will feel this as strongly as I do when this Despatch and its enclosures have reached England. I also am sure that if the instructions I ask for are issued to the General no more such difficulties will take place. A great peril has again arisen in this country. I believe that it has probably taken General Chute by surprise, and I feel confident that he will now see how

Major-General Chute's Reply.

8. Has been already answered, so far as I am concerned, in paragraphs 5 and 7.

9. I have already denied that the steps taken by the military authorities were communicated by them to the press, and I appeal to the Secretary of State for protection against such insinuations. I may inform him at the same time that the question of the change of headquarters to Wellington was freely discussed at that place by civilians before I received any communication from his Excellency on the subject. It was, I believe, a matter of general conversation, and did not appear to be an official secret, and in a small community like this might readily find its way to the press. I regret, in common with his Excellency, that it should have found its way there, and that he should have been so annoyed at it; but I repudiate the imputation now made against myself and staff.

10. My Despatch of the 1st instant, No. 342/66, answers this paragraph. The Secretary of State will have seen that my statement about the employment of a Colonial force in the Whanganui district irrespective of my authority is indisputable, and entirely unaffected by the circumstance that his Excellency subsequently called on the officer commanding Her Majesty's troops in that district to "adopt means to subdue the armed Natives" in combination with the local forces. (See Governor's Letter of the 24th October in my Despatch of the 30th instant, No. 361/66.) This officer (Major Rocke, 2/18th Regiment) cordially complied with his Excellency's instructions, as every officer in the command would have done. My letter to his Excellency of the 12th July—enclosed in my Despatch to you of the 1st instant, No. 342/66—informed his Excellency of my readiness to undertake any operations for which he would give me instructions.

11. With regard to his Excellency's remarks that the Governor can only give instructions through the General, I would observe that all officers commanding districts, regiments, or posts in this command are well aware that it is their duty to obey any instructions given to them by his Excellency. On several occasions since my arrival here his Excellency has given instructions direct to them, which have in each instance been promptly acted on.

In conclusion, I would explain that on proceeding to Whanganui, in compliance with his Excellency's opinion contained in his letter of the 15th October, I found that his Excellency had already gone there, and assembled the force referred to in last paragraph, consisting of the 18th R. I. under Major Rocke, and of the Colonial forces under Major M'Donnell. Some rebels in the district gave in their submission to his Excellency. Against others the troops moved on three different occasions, finding the last village where they expected to meet the remaining rebels in arms deserted.

NEW ZEALAND.

Sir George Grey's Despatch.

necessary it is his head-quarters should be near me, and that with the assistance I know he will give myself and the Colonial Government the existing difficulties will be got through.

I have, &c.
(Signed) G. GREY.

Major-General Chute's Reply.

His Excellency, with whom I had an interview in camp near Ketemarai, subsequently at Patea, and again at Whanganui, was satisfied with the result of the operations, and was returning to Wellington. He had no directions to give me except for the establishment of a new post in the Whanganui district, from which covering parties were to be furnished to protect the persons surveying the confiscated land. I then returned to Auckland, informing his Excellency that I was about to do so, having, in addition to other duties, to visit and inspect the troops in the Waikato district, which I have never yet been able to accomplish since I assumed the command in September 1865. I may state that since that time, out of 430 days in the command, I have been 220 days absent from Auckland in visiting the Governor or carrying out his instructions. As soon as I visit the Waikato country, to which I proceed next week, and complete my inspection of the troops in the Province, I am, in deference to his Excellency's wishes and his intended order on the subject, proceeding to Wellington, to remain there until Her Majesty's Government decide on his Excellency's representation.

(Signed) T. CHUTE,
Major-General.

Auckland, 30th November 1866.

No. 27.

No. 27.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 19.)

SIR, Downing Street, February 28, 1867.

I HAVE received, through the Secretary of State for War, copies of two Despatches, dated respectively the 13th and 16th of November last, which you addressed to Major-General Chute, requesting that one company of Her Majesty's troops might be stationed at certain redoubts in the Patea district, to enable the Colonial forces to be "employed "as covering parties for the surveyors," and that Major Rocke, the officer commanding in the district, might be instructed to give all the protection in his power to the surveyors who were completing the surveys in the vicinity of the redoubt at Turuturumokai.

It does not appear whether the surveyors, for whose protection the Queen's troops have been sought, are employed on disputed or confiscated land; but I must at once point out to you that the employment of Her Majesty's troops in detached posts at all, and more especially if on disputed or confiscated land, is at direct variance with the instructions you have received as to the future employment of Her Majesty's troops, particularly in my predecessor's Despatch of the 27th of November 1865,* and I am compelled to express my decided disapproval of it.

* Vide Papers presented Feb. 1866, page 259.

The large confiscations which have taken place have been viewed with the greatest apprehension by Her Majesty's Government and if it is found that a portion of these confiscated lands can only be surveyed or be held with the aid of a military force, that duty cannot be allowed to devolve on Her Majesty's troops, but must be left entirely to the charge of the Colonial forces, should your Responsible Advisers consider it necessary.

I have therefore requested General Peel to inform General Chute by the present mail that the employment of Her Majesty's troops in this service cannot be approved, and that in accordance with former instructions the force retained in the Colony must be concentrated, and not be placed in distant and isolated parts or employed as a police.

I have, &c.
(Signed) CARNARVON.

Governor Sir George Grey, K.C.B.,
&c. &c. &c.

No. 28.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 20.)

SIR, Downing Street, March 1, 1867.

I enclose copies of a letter which I have received from the War Office respecting a memorandum in which your Responsible Advisers expressed their opinion respecting the conduct of certain of Her Majesty's troops now serving in the Colony.

From the various papers which have reached me from yourself and from the War Office I collect the following facts.

On the 11th of July you informed General Chute that a Colonial force would be sent to Ketemarae for the purpose of checking certain West Coast Natives and preventing outrages, and you requested General Chute to give such orders as he deemed best suited to attain the speedy accomplishment of these objects. After some correspondence respecting the authority under which Major Rocke's operations were to be conducted, and other matters, General Chute on the 5th of August directed the officer in command at Whanganui to keep his officers on the alert, to lose no opportunity of harassing and attacking the enemy, and with particular reference to operations about Ketemarae to "direct a force, if possible, of 150 men, ... to be at once formed under the command of "either Majors Rocke or Inman, with a view to their co-operating with the Colonial troops."

These latter directions are stated by Major Rocke to have at once been performed. "I hastened," he writes, "to assure Major Macdonnell on his arrival that he might rely "on our cordial co-operation at any moment, and I further obtained the permission of "the Major-General to draw a force of 250 men instead of 150. Additional transport "was sent up from Whanganui, . . . in fact every preparation was made that a thoroughly "efficient field force should be ready at a moment's notice."

He adds that one of his officers on more than one occasion urged Major Macdonnell to apply to him for co-operation. "Major Macdonnell," he adds, "could not of course "have complied except under very urgent circumstances, as it was contrary to instruc-"tions," meaning, as I understand, those instructions which Major Macdonnell had received from yourself or your Government, and under which he was acting.

On the 2nd of October Major Macdonnell, of course without assistance from the Imperial troops, attacked the Maories.

On the 12th of October your Responsible Advisers addressed to you, and on the 15th of October you transmitted without remark to General Chute the following memorandum: "Ministers cannot refrain from expressing their surprise that the officers commanding "the Imperial posts which were close to the scene of Major Macdonnell's operations "should not have more actively assisted him.

"It appears strange that the commanders of the outposts who have been instructed "by the Major-General to lose no opportunity in attacking the rebel Natives, and by "constant patrols and reconnoitering parties to harass and annoy them as much as "possible, should remain within their redoubts whilst a very difficult and hazardous "enterprize was being undertaken by a few Colonial troops in their immediate neigh-"bourhood. Major Macdonnell would have been greatly aided and encouraged had a "party moved out from Waingongoro on the morning of the second to have covered "his retreat, or to have supported him in holding the position he had stormed, and "he might have strengthened his small force by withdrawing more men from Kaka-"ramea and Hawera could he have calculated that patrols from Patea and Manawapou "would have been scouring the neighbourhood, but no assistance beyond attending to "the wounded when brought into their camp was afforded by the regulars, and it seems "that in a district occupied by them, and under the command of an Imperial officer, "outrages may be committed, communications stopped, and redoubts fired into, whilst "the punishment of the enemy, and the risks and hardships of a winter campaign are "left to a small body of local troops."

The statements in the concluding sentence of this memorandum respecting the occurrence or prevalence of outrages in the neighbourhood of Patea are denied by Major Rocke, and I express no opinion on a point which may thus be considered as in dispute. But having before me the facts which I have shortly recapitulated, I should be wanting in my duty to Her Majesty's troops who have been employed in the defence of New Zealand if I did not unequivocally pronounce my opinion that the reflections cast by your Ministers upon a body of these troops or the officers who command them in the memorandum which you forwarded without comment to General Chute is entirely un-

NEW ZEALAND.

warranted, and as your separate Despatch of the 2nd of November is calculated to suggest the idea that the censure cast in that memorandum on the troops under General Chute's command on this occasion ought rather to have been applied to General Chute, I am further bound to state that whether the inaction of Her Majesty's troops on this occasion was right or wrong, I see no reason for supposing that General Chute was in any degree responsible for it unless he issued to Major Macdonnell the instructions which precluded him from applying to Major Rocke for assistance.

I have, &c.

Governor Sir George Grey, K.C.B., &c. &c. &c.

(Signed) CARNARVON.

Encl. in No. 28.

Enclosure in No. 28.

SIR, War Office, February 7, 1867.

WITH reference to your letter of the 1st instant, and previous correspondence relative to the memorandum from the Responsible Advisers of the Governor of New Zealand, regarding the inaction maintained by Her Majesty's troops in the disturbed districts of that Colony, I am directed by Secretary Lieutenant-General Peel to transmit, for the information of the Earl of Carnarvon, the accompanying copy of a further Despatch, with its enclosures (in original), which has been received from Major-General Chute on the subject.

General Peel anticipates Lord Carnarvon's concurrence with him in opinion that the reports now enclosed completely refute the accusation made against the troops by the Colonial Ministers.

I have, &c.

(Signed) EDWARD LUGARD.

SIR, Head-quarters, Auckland, November 30, 1866.

IN continuation of my letter of the 1st instant, No. 342/66, relative to a memorandum from the Responsible Advisers of the Governor of New Zealand reflecting on Her Majesty's troops, I have the honour to forward, for the information of the Right Honourable the Secretary of State for War, copies of reports I have received from the officers commanding at Whanganui, Taranaki, and Tauranga, to whom I caused letters to be addressed, inquiring whether they had at any time failed to avail themselves of any opportunity of attacking and harassing rebels, or had refused or hesitated to afford assistance to the civil power or the Colonial troops in acting against the rebels.

I have, &c.

The Under Secretary of State for War.

(Signed) J. CHUTE, Major-General.

Major ROCKE to Assistant Adjutant-General.

SIR, Patea, November 13, 1866.

I HAVE the honour to acknowledge your letter of this date. In reply, I beg to attach a copy of instructions received, dated 8th August 1866.

1. These instructions have been rigidly carried out at all the posts along the line. As far as Patea is concerned, the Major-General is doubtless aware that the enemy have never appeared within several miles of it. Convoys have proceeded every week guarded only by a small escort from Patea to Waingongoro without a single interruption, extending over a period of nineteen months, and except one or two ambuscades, evidently laid for small mounted parties, the enemy have never shown on the road or in the vicinity. It is quite untrue, therefore, to state that communications have been stopped or redoubts fired into.

2. In reply to your second question, and with reference to a Minute addressed by the Colonial Minister to his Excellency the Governor, I beg to draw attention to these instructions, which I received just before the arrival of Major M'Donnell with a Colonial force, of the tenor of which I may assume the Ministers are cognizant. It will be thus seen that the co-operation of the Imperial troops with the Colonial forces depended upon Major M'Donnell, and that I had no voice in the matter; and thus that the reflections cast upon the officers commanding posts are not only most unfair, but that they are based upon entirely false premises.

A glance at the instructions given to us will show that should Major M'Donnell require aid he was to refer to me, and that I was to form a force of 150 men to co-operate with him, taking command when in the field by order of my commission, but that otherwise I was not to interfere with the operations of the Colonial forces. Major M'Donnell was thus placed in this district independent of all control, and with power to summon the Imperial troops to his aid.

I hastened to assure Major M'Donnell on his arrival that he might rely upon our cordial co-operation at any moment, and I further obtained the permission of the Major-General to draw a force of 250 men, instead of 150, when called upon.

Additional transport was sent up from Wanganui. It was arranged that Artillery should accompany the force if required, and a medical officer of the Staff was sent specially to Patea from Auckland. In fact, every preparation was made that a thoroughly efficient field force should be ready at a moment's notice.

As already shown, Major M'Donnell's movements were independent, and conducted without my knowledge, and the first information I received of his expedition of the 2nd October, which appears to be the occasion of these animadversions on the part of the Colonial Ministry, was Major M'Donnell's report, which he kindly forwarded to me for the Major-General.

In transmitting this I could not refrain from expressing my regret, in a letter addressed to Assistant Adjutant-General, that the Imperial troops had not been enabled to take a share, as it was very plain that a larger force would have led to very satisfactory results.

It has come to my knowledge even that Captain Noblett, 2/18th Regiment, has upon more than one occasion urged Major M'Donnell to apply to him to co-operate with him. I cannot say that I approved of it, and Major M'Donnell would of course not have complied, except under very urgent circumstances, as it was contrary to the instructions.

Thus it will be seen that not only was a considerable force of the Imperial troops held in readiness to move at a moment's notice, but that everything was done to evince our sympathy with the Colonial forces, and our anxiety to share with them in active service in the field.

I have, &c.
(Signed) J. H. ROCKE,
Major 18th Royal Irish,
Commanding Wanganui District.

The Assistant Adjutant-General,
Head-quarters, Patea.

Major BAKER to COLONEL COMMANDING WANGANUI DISTRICT.

Assistant Adjutant-General's Office,
Head-quarters, Wellington, August 5, 1866.

SIR,

I AM directed by the Major-General Commanding to request that you will give instructions to the officers commanding at posts in the Wanganui District to be most alert and vigilant in the performance of their duties, availing themselves of every possible opportunity of harassing and attacking the enemy in their respective commands.

Should the Colonial forces now supposed to be in the neighbourhood of Ketemarai under Major M'Donnell require aid from Imperial troops, you will be good enough to direct a force (if possible) of 150 men from Patea, Manawapou, and Waingongoro to be at once formed, under either Majors Rocke or Inman of the 18th Royal Irish, with a view of their co-operating with the Colonial troops, the field officer of Her Majesty's forces of course taking command when on service in the field with the Colonial troops. But should Imperial aid not be asked for, it is scarcely necessary to state that the Imperial officers are not to interfere with the operations of the Colonial troops.

I am directed also by the Major-General to request that you will be pleased to draw the attention of officers commanding at posts to pages No. 201, 202, &c., of the Queen's Regulations and Orders for the Army in regard to aiding the civil powers in case assistance is required by the civil authorities.

The Major-General deems it advisable that Major M'Donnell should be made acquainted with the purport of this letter.

I have, &c.
(Signed) T. D. BAKER, Major,
Assistant Adjutant-General.

Captain LEACH to Major ROCKE.

District Office, Wanganui, August 8, 1866.

SIR,

AGREEABLY with instructions received from the Major-General Commanding the Forces in New Zealand, I am directed by the Colonel commanding this district to request you will be most alert and vigilant, availing yourself of every possible opportunity of harassing and attacking the enemy in the vicinity of your command.

Should the Colonial forces now supposed to be in the neighbourhood of Ketemarai, under Major M'Donnell, require aid from the Imperial troops, you will be good enough to form a force, consisting of 150 men, with proportions of officers and non-commissioned officers, made up as follows, viz., from Patea (both banks) and Kakaramea 120 men, Manawapou 18, Waingongoro 12, to be under your command, and to move where required, with a view to co-operate with the Colonial troops, you of course taking command when on service in the field with the Colonial troops.

But should Imperial aid not be asked for, you are not to interfere with the operations of the Colonial troops. I am further directed to draw your attention to pages 201, 202, &c., of the Queen's Regulations and Orders for the Army in regard to aiding the civil power in case assistance is required by the civil authorities.

You will be good enough to acknowledge the receipt of this letter.

I have, &c.
(Signed) E. LEACH, Captain,
Deputy Assistant Adjutant-General.

Lieutenant-Colonel HAMLEY to ASSISTANT ADJUTANT-GENERAL.

New Plymouth, November 19, 1866.

SIR,

ADVERTING to your letter dated Wr. Qr., off New Plymouth, November 18, 1866, No. 1203/66, I have the honour to state, for the information of the Major-General Commanding, in reply to the questions therein contained, first, that during the time I was in command at Warea, from 24th March to the end of June 1866, on the appearance of the enemy in the vicinity of the redoubt, and on several occasions when wood parties were fired on, in one instance when the outlying sentry was fired at, and once when the rebels fired in the direction of the redoubt, a force was always not only prepared, but did move out and attack them. The rebels invariably, after delivering a volley, retired, and before the troops had crossed the Warea River had retreated so rapidly towards the bush inland (and to which point they were always pursued) that beyond getting a few long range shots at them it was impossible to overtake them. They not unfrequently had horses picketted out of sight, and at a safe distance, to avoid a chance of their being captured, but which greatly facilitated their rapid retreat.

On taking over the command of the district the same system was continued by Captain Clarke, who succeeded me in command of the Warea post. Ambuscades were frequently laid and the country continually patrolled; potato plantations were sacked, and the enemy harassed in every possible way.

NEW ZEALAND.

I enclose a copy of a letter from Captain Clarke, which I did not deem it necessary to do at the time, as no collision had taken place.

At Stoney River the enemy has never appeared since the 50th has been located in this district. A friendly tribe is living between this post and Warea, and inland of the redoubt is a blockhouse occupied by military settlers. The officer commanding has the same instructions, and should rebels show themselves in his vicinity, is prepared to carry out the orders of the Major-General.

With reference to the second question, I have never been called on to afford assistance to the civil power or Colonial troops in acting against the rebels; but should such occur I should consider it my duty to do so, always presuming that where Imperial and Colonial troops were co-operating the combined force should be under the command of an Imperial officer.

I have, &c.
(Signed) L. HAMLEY,
Lieutenant-Colonel, 50th Regiment,
Commanding Taranaki District.

The Assistant Adjutant-General,
Head Quarters, Auckland.

Captain CLARKE to OFFICER COMMANDING, TARANAKI DISTRICT.

SIR, Camp, Warea, October 23, 1866.

1 Sub.
1 Serjt.
1 Brigr.
and 35 N.Z. ft.

I HAVE the honour to report that last night a large fire and the waving of torches being reported by the sentries, apparently about three miles inland of the redoubt, I determined, if possible, to find out the cause. Accordingly, a party as per margin paraded about 10 o'clock p.m., and proceeded under my command about five miles inland through high fern and bush in the direction of the fire, which turned out to be much further away than was at first supposed. When we had advanced thus far the fire was either extinguished or allowed to die out; and as it was raining heavily and there was no trace of the rebels to be discovered in the darkness that prevailed in the heavy bush, I ordered the reconnaissance to cease, and we got back to camp between 3 and 4 o'clock a.m. this morning.

I have, &c.
(Signed) M. A. CLARKE,
Captain, 50th Regiment,
Commanding Troops at Warea.

The Officer Commanding,
Taranaki District,
New Plymouth.

Colonel HAMILTON to ASSISTANT ADJUTANT-GENERAL, Auckland.

SIR, Tauranga, November 1, 1866.

I HAVE the honour to acknowledge the receipt of your letter dated 1st November 1866, No. 1184/66, and in reply thereto beg to state, for the Major-General's information, that whenever the enemy may appear in the vicinity of the posts under my command, I am not only invariably prepared, but most anxious to avail myself of any opportunity of attacking and harassing them in any possible manner.

I also beg to represent that I have never at any time refused or hesitated to afford assistance to the civil police or Colonial troops in acting against the rebels since the commencement of operations against them.

L. MEADE HAMILTON,
Colonel and Lieutenant-Colonel, 1/12th Regiment,
Commanding Tauranga District.

The Assistant Adjutant-General,
Head Quarters, Auckland.

No. 29.

No. 29.

COPY of a DESPATCH from the Right Hon. the Earl of CARNARVON to Governor Sir GEORGE GREY, K.C.B.

(No. 21.)

SIR, Downing Street, March 6, 1867.

* Page 35.

I HAVE the honour to acknowledge the receipt of your Despatch of the 8th* of January last, No. 1, informing me of your return to Wellington, from the visit which you have paid to the interior of the island.

Your report of the manner in which you were received by the Natives in the districts which you visited is very satisfactory, and I am glad to learn that they appear desirous of receiving Europeans amongst them, and of obeying the law.

I have, &c.
(Signed) CARNARVON.

Governor Sir George Grey, K.C.B.,
&c. &c. &c.

LONDON:
Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

477.

CORRESPONDENCE

RESPECTING THE

ESTABLISHMENT OF A WELSH COLONY

ON THE

RIVER CHUPAT, IN PATAGONIA.

Presented to both Houses of Parliament by Command of Her Majesty.
1867.

LONDON:
PRINTED BY HARRISON AND SONS.

3946

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Correspondence respecting the Establishment of a Welsh Colony on the River Chupat, in Patagonia.

No. 1.

Sir F. Rogers to Mr. Hammond.—(Received August 1.)

Sir, *Downing Street, July 31, 1865.*

I AM directed by Mr. Secretary Cardwell to transmit to you, for the information of Earl Russell, copies of two reports from the Colonial Land and Emigration Commissioners, on the subject of an emigration which is now being carried on from Liverpool to the coast of Patagonia.

I am, &c.
(Signed) FREDERIC ROGERS.

Inclosure 1 in No. 1.

Mr. Murdoch to Sir F. Rogers.

Sir, *Emigration Board, May 22, 1865.*

I INCLOSE herewith the copy of a letter addressed to us by the emigration officer at Liverpool on the subject of an emigration proceeding from that port to the coast of Patagonia.

2. The place to which the emigrants are proceeding, New Bay, at the mouth of the Chupat River, is considered, we believe, the finest part of Patagonia, and possesses a fertile soil and good climate. Admiral Fitzroy in his "Voyage of the 'Beagle'" says, "With this river (the Chupat) so near, the west side of New Bay would be an excellent situation for a Settlement. There ships of any burthen might anchor in safety, and a communication be carried on with the interior by means of flat-bottomed boats." The river, he adds, runs through level meadow land, covered with rich herbage, and herds of wild cattle exist in the neighbourhood. Sir Woodbine Parish, in his "History of Buenos Ayres and the Provinces of La Plata," says Bahia Nueva would be a good situation for a Settlement, but "a still more favourable locality is the River Chupat, which falls into the sea about forty miles further south." And he quotes an author whom he does not name, who says, "about eighteen miles up (by the very serpentine course of the stream) (the Chupat) is a place admirably adapted for a Settlement. It is a rising ground from twenty to thirty feet high, close to the bank of the river. . . . . Throughout this extent the country is fertile in the extreme, the soil is of a dark colour and very rich, excellent grass covers it in every direction, and numerous herds of wild cattle graze in the plains."

3. It may be assumed from these descriptions that there is no ground, as far as climate and soil are concerned, for dissuading emigration to this quarter. At the same time so little is known of the natives that it is impossible to feel confident that settlers may not be exposed to considerable danger from them. It appears in Admiral Fitzroy's book that some years ago the natives attacked a party of Spaniards who had collected the wild cattle in the neighbourhood of New Bay, and killed almost all of them. The date is not given, Admiral Fitzroy merely saying that he saw at Rio Negro in 1833 the last survivor of the party. It is, of course, impossible from so cursory a notice to draw any reliable conclusion for the future, and it may be that as the present emigrants are going out in a body, and will be followed by others, they will be strong enough to protect themselves against the natives. But Mr. Cardwell may, perhaps, think right to inform Earl

Russell of the proposed emigration, in case it should be possible for Her Majesty's Minister at Buenos Ayres to ascertain from time to time the safety and progress of the Settlement.

I have, &c.

(Signed) T. W. C. MURDOCH.

Inclosure 2 in No. 1.

Mr. Prior to Mr. Walcott.

Sir, *Government Emigration Office, Liverpool, May* 16, 1865.

I HAVE to acknowledge the receipt of your letter of the 13th instant relative to a body of miners who are going out as emigrants to a place called New Bay on the coast of Patagonia.

In reply I beg to state, for the information of the Board, that, on receiving your letter requesting me to obtain as much information as I could about the emigrants destined to the coast of Patagonia, I called on Mr. M. D. Jones, the Chairman and Principal in this country, a gentleman and President of College, who gave me the written information I now inclose for the Board. I find that the position of New Bay is in latitude 43° south, and longitude 65° west; the emigrants will land in the south-east corner of this bay.

They are to take out bread and flour and other provisions for six months' supply.

I have, &c.

(Signed) T. H. PRIOR,

Chief Emigration Officer.

Inclosure 3 in No. 1.

Welsh Colony, Valley of the Rio Chupat, Patagonia, South America.

Question 1. Place of destination?—*A.* Valley of the Rio Chupat, Patagonia.

Q. 2. Parties sending them out?—*A.* The emigrants form into a Society under the direction of a Central Committee: Offices, 22, Williamson Square, Liverpool.

Q. 3. Conditions on which they are sent out?—*A.* The emigrants go out as farmers, and are restricted by no conditions more than emigrants generally to the United States or the British Colonies.

Q. 4. The nearest place of communication?—*A.* Del Carmen, on the River Rio Negro, which is 140 miles from New Bay. The emigrants are provided with a life-boat to go to Del Carmen by sea, which boat can carry 4 or 5 tons.

Q. 5. Quantity of land granted by Government?—*A.* One hundred acres of land are given to every family of three statute adults. Also there are 1,000 acres of municipal land given to every district of 100 families for educational purposes.

Q. 6. If paying full passage or otherwise?—*A.* Those that are able to do so pay their passage in full; those that cannot at present undertake to do so, hereafter.

Q. 7. Whether parties will follow?—*A.* There is a second batch to follow in November, if the first batch succeeds.

(Signed) MICHAEL D. JONES, *Chairman.*

Liverpool, May 15, 1865.

Inclosure 4 in No. 1.

Mr. Murdoch to Sir F. Rogers.

Sir, *Emigration Board, May* 31, 1865.

WITH reference to my letter of 22nd instant I inclose herewith, for Mr. Secretary Cardwell's information, the copy of a further report from Captain Prior, the Emigration Officer at Liverpool, on the subject of the emigration in progress from that port to New Bay in Patagonia.

2. There is nothing in this further information which appears to require any interference on the part of Her Majesty's Government with this emigration; but as it is stated in the inclosure to Captain Prior's letter that the Society which is conducting it has as yet acquired no land in Patagonia, it would be desirable to invoke the aid of Her Majesty's

Minister at Buenos Ayres on their behalf. The Government of the Argentine Republic would probably not desire to interfere with a body of well-conducted men who might form a settlement on a remote and hitherto unpeopled part of their territory; but it would be safer that the settlement should be distinctly recognized by the local Government than that it should depend merely on sufferance.

I have, &c.
(Signed) T. W. C. MURDOCH.

Inclosure 5 in No. 1.

Captain Prior to Mr. Walcott.

Sir, *Government Emigration Office, Liverpool, May* 27, 1865.

I HAVE to acknowledge the receipt of your letter of 25th instant, requesting me to ascertain, for the information of the Secretary of State, who are the persons forming the Company engaged in promoting emigration to Patagonia, and what is their social and commercial position, and in what way the scheme is to be made profitable to them, and to know if the Company have acquired any land, and from whom they derive their title, and what provision is made to preserve peace and good order, and for deciding any dispute that may arise.

In reply I beg to state I called on the Chairman, Mr. Michael D. Jones, and put the several questions contained in the Board's letter to him, when he gave the answers in writing which I inclose for the information of the Secretary of State.

In answer to the fourth question in addition to what Mr. Jones has stated, it appears that every three adult emigrants are entitled to 100 acres of land granted by the Argentine Government.

Two gentlemen, named Jones and Parry, the latter a captain in the army, examined the land allotted to the Welsh emigrants, and a Mr. Lewis Jones and Mr. E. Robarts are now out there ready to receive the emigrants, and they are to remain with them. They had also taken out a surgeon under special agreement for twelve months.

Mr. Michael D. Jones thinks it would be very desirable if a man-of-war could call occasionally at New Bay to ascertain how the colony was progressing.

The first ship, the "Mimosa," sails to-day with about 130 adults.

I have, &c.
(Signed) T. H. PRIOR.

Inclosure 6 in No. 1.

Patagonia.

Question 1. Who are the persons forming the Company engaged in promoting emigration to Patagonia?—*A.* There is no Company formed, only a Society, presided over by a Central Committee in Liverpool. The Committee is made up of ministers of different denominations, tradespeople, &c.

Q. 2. What is their social position?—*A.* They belong to the middle classes of society.

Q. 3. In what way is the scheme to be made profitable to them?—*A.* It is not a mercantile company at all, but a patriotic movement to found a Welsh colony in South America. The promoters expect no profit from the movement, but do all with the view of having a home for the Welshman in some other country than his own. Applications were made to the British Government for a territory some years ago, and having failed to get the British Government to do anything they turned to the Government of the Argentine Confederation and have succeeded.

Q. 4. Has the Company acquired any land in Patagonia?—*A.* The Society has acquired no land in Patagonia.

Q. 5. What provisions have been made to preserve peace and good-will among the settlers?—*A.* The emigrants themselves have selected a Committee of twelve men to secure peace and good-will, to whom all disputes are to be referred.

(Signed) MICHAEL D. JONES.

Liverpool, May 27, 1865.

No. 2.

Earl Russell to Mr. Thornton.

(Extract.) *Foreign Office, August* 10, 1865.

I INCLOSE herewith, for your information, copies of a letter and of its inclosures, from the Colonial Office,* respecting the emigration which is now being carried on from this country to Patagonia.

No. 3.

Mr. Thornton to Earl Russell.—(Received September 1.)

My Lord, *Buenos Ayres, July* 25, 1865.

A COMMITTEE of gentlemen from North Wales arrived in this country in 1863, and proposed to the Argentine Government a scheme for establishing a colony of their countrymen on a somewhat large scale in Patagonia. After some negotiation, an agreement was signed between them and the Government, by which it was stipulated that, on condition of the latter granting a certain quantity of land, and providing some stock and protection, the Committee would introduce annually for ten years, from 300 to 500 families.

The contract required the sanction of Congress, by whom it was at once rejected. The principal arguments made use of against it were the religion of the proposed colonists, and that wherever a body, however small, of the Anglo-Saxon race had established itself, they had always finally succeeded in possessing themselves of the whole country. It was added that in this particular instance the colonists would be supported in their ambitious views by the neighbourhood of our establishment at the Falkland Islands: for it was proposed that the colony should be established on the coast of Patagonia, a few leagues south of New Bay between 43° and 44° south latitude.

Notwithstanding this rebuff, the Welsh gentlemen still persevered in their efforts to carry out their scheme, and the Argentine Government were not unwilling to help them as far as their power extended. An Agent was again sent out about eight months ago, in reply to whose urgent solicitations, Dr. Rawson, Minister of the Interior, declared that the Government could do no more than was permitted by law, viz., to grant to each family 25 squares of land. (A square is about 18,496 square yards.) The projectors declared themselves satisfied with this condition, added to a promise on the part of the Government that they would endeavour to obtain better terms for them from Congress.

I understand that about 250 Welshmen left England in April last, for New Bay, where they should have arrived by this time. The members of Congress have expressed some indignation that the Executive should have encouraged the establishment of the Colony notwithstanding the peremptory manner in which their body rejected the contract made in 1863. Dr. Rawson is anxious to conciliate Congress, and tells me that he is about to present a memorial upon the subject to the Legislature. As we were conversing upon the subject a few days ago, his Excellency stated to me that the principal objection Congress had to the establishment of an English Colony in Patagonia was the proximity of our settlement at the Falkland Islands; and after some further observations, amongst which he insinuated that although England, having the power, was quite right in keeping possession of those islands *de jure*, she had no claim to them. His Excellency asked me whether Her Majesty's Government would not be disposed to take into consideration the possibility of the islands being ceded to the Argentine Republic, adding that if it were in his power to put forward this prospect, Congress, he was convinced, would put no obstacle in the way of the original contract with the Welsh Committee being carried out.

I replied to Dr. Rawson, that as to our right to the Falkland Islands, which was undoubted, I had nothing to add to the note addressed to the Argentine Government in 1829 by Mr. Parish, in compliance with orders from his Government, and to that written by His Majesty's Principal Secretary of State for Foreign Affairs, in reply to the claim made upon the subject in 1833 by M. Moreno, the Buenos Ayrean Minister to the Court of St. James's, and I added, that to question our right would not be the most likely means of inducing us to give it up. But I assured his Excellency that he would do wrong in encouraging the slightest hope that Her Majesty would ever listen to any proposal for ceding the Falkland Islands which, on account of the constantly increasing number of sailing and steam vessels, both of the merchant service and of the Royal Navy, which went

* No. 1.

round Cape Horn, and through the Straits of Magellan, were every year becoming of greater importance as a station in a course where we had no other possession.

I have, &c.
(Signed) EDWD. THORNTON.

No. 4.

Sir F. Rogers to Mr. Hammond.—(Received February 9.)

Sir, *Downing Street, February 8, 1866.*

WITH reference to my letter of the 31st of July, inclosing copies of two Reports from the Colonial Land and Emigration Commissioners, respecting an emigration which was being carried on from Liverpool to the coast of Patagonia, I am directed by Mr. Secretary Cardwell to transmit to you a copy of a further letter from that Board, inclosing an extract from a public paper, containing a disastrous account of the state of the settlement.

I am to request that you will move the Earl of Clarendon to procure information on the subject from Her Majesty's Minister at Buenos Ayres, and to instruct him at the same time, as suggested by the Commissioners, to obtain for these emigrants whatever assistance and protection the Government of the Argentine Republic can afford them.

I am, &c.
(Signed) FREDERIC ROGERS.

Inclosure 1 in No. 4.

Mr. Murdoch to Sir F. Rogers.

Sir, *Emigration Board, January 31, 1866.*

WITH reference to my reports of 22nd and 31st May last, on the subject of a Welsh Settlement about to be formed on the Chupat River in Patagonia, I inclose an extract from the "Liverpool Mercury" of the 29th instant, which has been sent us by the Emigration Officer at Liverpool.

2. We have desired Captain Prior to see the persons connected with this Emigration, and to point out to them the necessity of not sending forward any more emigrants until authentic intelligence is received from the settlement of the safety of those already there. Further than this we do not think we could go, on what is only a newspaper report, and may not be true. But we would beg to submit whether the Secretary for Foreign Affairs might not be requested to call the attention of Her Majesty's Minister at Buenos Ayres to this settlement to obtain for them whatever assistance and protection the Government of the Argentine Republic can afford them.

I have, &c.
(Signed) T. W. C. MURDOCH.

Inclosure 2 in No. 4.

Extract from the Liverpool "Mercury" of January 29, 1866.

THE WELSH COLONY IN PATAGONIA; SAD FATE OF PART OF THE COLONISTS.—In May, 1865, 150 Welshmen sailed from Liverpool in the ship "Mimosa," and arrived safely in about two months at the mouth of the Chupat River, where they were met by Mr. Lewis Jones, who had been despatched to make preparations prior to their landing. Letters were received about three months ago, reporting a fair start. Part of them were engaged in digging marble, others clearing the ground for agricultural purposes, and the rest collecting guano under a Spaniard, who had, as was reported, been engaged for five months to direct the emigrants in this employment. There were, however, complaints of scarcity of water, and that the huts intended for the emigrants were very rudely constructed, and ill-adapted for human residence.

Last week a letter was received from a trustworthy person who has just arrived in Liverpool from the coast of Patagonia and Buenos Ayres, reporting a terrible calamity to this brave band of Welshmen, whose object, to say the least, was commendable, namely, to form a purely Welsh settlement, under the auspices of the Argentine Republic, with which they had formed an agreement to that effect. One-third of this band has, according to

our informant, fallen a prey to famine and want of water. This is not an unlikely tale, as the supply of corn was dependent on the Argentine Republic, who had to send it by sea from Buenos Ayres, as no time could elapse for the production of any corn in the settlement. Want of water is also urged as another cause of this disaster. It is also stated that the natives have acted very savagely to the portion of the Settlement collecting guano, as it was feared that the colonists would drive the natives away. Much anxiety is felt by the promoters of the Settlement in England, who have recently started a limited liability company with a view of carrying on trade between England and the colonists. Another draft is preparing for the colony, but it is expected that they will not sail until undoubted intelligence is received of the prosperity of the colonists.

No. 5.

The Earl of Clarendon to Mr. Ford.

Sir, *Foreign Office, February* 19, 1866.

WITH reference to Lord Russell's despatch of the 10th of August last, I transmit to you a copy of a further report which has been addressed by the Colonial Land and Emigration Commissioners to the Colonial Office respecting the emigration recently carried on from Liverpool to the coast of Patagonia, together with an extract from a public paper containing a disastrous account of the state of the settlement ;* and I have to instruct you to obtain such information as you can on the subject, and to procure for the emigrants whatever assistance and protection the Government of the Argentine Republic can afford them.

I am, &c.
(Signed) CLARENDON.

No. 6.

Sir F. Rogers to Mr. Hammond.—(Received March 8.)

Sir, *Downing Street, March* 7, 1866.

WITH reference to my letter of the 8th ultimo, I am directed by Mr. Secretary Cardwell to transmit to you, for the information of the Earl of Clarendon, copy of a further letter from the Land and Emigration Commissioners, covering an extract from the "Wrexham Advertiser" of the 17th February, which contradicts the unfavourable reports of the condition of the Welsh settlement in Patagonia.

I am, &c.
(Signed) FREDERIC ROGERS.

Inclosure 1 in No. 6.

Mr. Murdock to Sir F. Rogers.

Sir, *Emigration Board, February* 23, 1866.

WITH reference to my letter of 31st ultimo, I inclose herewith, for Mr. Secretary Cardwell's information, an extract which has been sent us from the "Wrexham Advertiser" of the 17th instant, giving a complete contradiction to the unfavourable reports of the condition of the Welsh Colony in Patagonia, which recently appeared in the papers.

2. From this account it would appear that the people were in good health and circumstances, and that the country realized the expectations held out by the promoters of the emigration.

I have, &c.
(Signed) T. W. C. MURDOCH.

Inclosure 2 in No. 6.

Extract from the "Wrexham Advertiser" of February 17, 1866.

THE WELSH IN PATAGONIA.—We are indebted to Mr. Cadiver Ward of Chester, Secretary to the Welsh Colonization Scheme, for the following particulars respecting the

* Inclosures in No. 4.

Welsh in Patagonia, about whom such unfavourable reports were prevalent a week ago. Not only the seventy letters expected from the Welsh Colony in South America, but also many additional letters written at a much later date, have been received by the last mail from Buenos Ayres, but as no two of the letters were written by the same individuals, or addressed to the same person in this country, very considerable difficulty has been experienced in collecting them together for comparison, and, consequently, a very undesirable delay has taken place in the publication of the contents of the letters written by the people said to have been starved to death. Now, however, the writer has before him twenty of these letters, and some of them are exceedingly lengthy.

Very ample details are given of the passage out, of the preparation made for the reception of the Colony at New Bay, of the journey thence to the settlement in the valleys of the Chupat, of the hardships suffered by a few individuals who unfortunately wandered off into the swamp and lost their way, of disasters to a small vessel conveying a large part of the seed, tools, and property of the Colony, together with some provisions (the vessel was caught in a storm, and the cargo lost in consequence), of the number of farms prepared and their relative positions, the inexhaustible store of firewood, the quantity of food allowed to each individual (every one of the writers quotes figures which prove the colonists to have enjoyed every day more provisions than the British Government allows to the Militia), the quantity of stock left at the time of writing (these estimates vary)—some writers say that they had sufficient provisions for two months, others say four months, and yet others for six months), the sayings and doings of Señor Diaz, the surveyor paid by the Argentine Government to measure farms for the settlers, the ceremonies gone through by the military commander of Patagones (the nearest Spanish settlement, seventy miles distant) when formally giving them absolute possession of the territory on behalf of the Argentine Government, and details of a misunderstanding which had taken place between some of the settlers and the Agent, Mr. Lewis Jones (from later advices under date 26th December there is reason to suppose that this misunderstanding has now been satisfactorily cleared away). All these details can possess very little interest for your readers; but the fact that the settlers had the patience to write page after page full of such details proves that they themselves never suspected the terrible truth that they were surely dying from want of food and water.

The Rev. Lewis Humphreys, minister of the Independents in the settlement, in a letter of eight closely written pages, relates the experience of a party, of which he was a member, sent to carry provisions to the pioneers, who went first to the Chupat, a part of whom lost their way and suffered in consequence. The relieving party turned up the valley instead of down, and they consequently travelled at least thirty miles too far and had to retrace their steps. The reverend writer thus describes the hunt for the pioneers:—

"The valley is very much longer and broader than any I have ever seen before. We thought our friends had gone up the valley, so we started before dawn and travelled until the afternoon, when we reached the end of the first valley. We crossed a considerable hill and entered a second valley more excellent than the first. We here saw plenty of free-stone fit for building purposes. Towards the extremity of this second valley 200 farms of 100 acres each have now been marked out for the second company of emigrants. Fearing that the pioneers might have gone much higher up the river, the rider mounted the swiftest horse the party had, and travelled eight or ten miles onward. He found the second valley to be surmounted by a high range of hills, and that the higher he went the valley seemed gradually to narrow, whilst a third valley opened out broad, and to all appearances a vast plain. He turned back and found that the pioneers were established only eight miles from the sea, and that they had been supplied by a party which had left New Bay several days after himself. All this took place in the depth of winter, and all those who were travelling about were obliged to sleep in the open air. The climate is, however, so pleasant, that no one felt any bad results from the exposure."

A little further on the writer says that the settlers were in daily expectation that the Indians would visit them, for the Agent had seen two of the Chiefs at Patagones, and had sent them to Buenos Ayres to treat with the Argentine Government as to the amount of subsidy they would require to keep the natives from stealing cattle, &c. The Chiefs had returned and had been seen at Patagones, where they expressed their satisfaction with the terms offered them at Buenos Ayres.

Another letter states that only two natives had been seen by any person in the colony. These two natives entered the camp in a friendly manner and assisted the settlers to carry a few goods. Mr. Humphreys concluded his letter with the remark that every one will be comfortable after awhile, and that the greatest blessing the colony could have would be a company of farmers with a small capital each. He protests energetically

against any more clerks or shopmen being sent out, and adds that the only people wanted there at present are those who can "rough it" and be content to labour. He also states, as do several other correspondents, that Indian corn, barley, potatoes, pumpkins, and fruit trees had been planted and they were growing so nicely that he writes in a very humorous strain about the Christmas dinner he intended to prepare from the produce of the country.

Another person, Mr. W. R. Jones, from Bala, has sent his uncle a letter even longer than that of the Rev. Lewis Humphreys. Mr. W. R. Jones was one of the party sent to convey 1,000 sheep to the settlement. They drove the sheep in the wrong direction, and after a few days gave the job up in despair and left the sheep to wander at their own sweet will. The writer also describes the three valleys above spoken of, and adds many interesting details about the comparative fertility of the three, and he speaks of the furthest valley in such very flattering terms that his enthusiasm appears to have led him to exaggerate its advantages. He avers that there are no savage beasts at all in the neighbourhood, and that the creatures he has seen in the greatest numbers are ducks, geese by the hundreds, hares which weigh 18 lbs. to 20 lbs., ostriches by the hundreds, and innumerable guanacos or wild sheep; these he says are as big as calves, whilst other emigrants say they are as large as ordinary donkeys.

He concludes by saying that, if all Wales were to go there, the cry of every one would be, "plenty of good land, but great lack of stock."

The other eighteen letters relate, with more or less evidence of careful observation, similar facts, but the above will perhaps be thought quite sufficient.

The last mail has brought a full explanation of the rumours, which, having lived their brief day in Buenos Ayres, were received in England by the antagonists of the movement as sweet morsels, and vigorously disseminated by them. We give the account on the authority of Mr. Lewis Jones, who writes from Buenos Ayres under date December 26th, 1865.

He says that Messrs. Aguirre and Murga obtained some time ago the concession of a territory at Patagones, only seventy miles from the Welsh Colony, on condition that they would induce a certain number of Germans to settle there. They tried to bring in immigrants and failed. Soon after their failure the Welsh Colony arrived, and they at once were anxious to induce the people to adopt their territory. They offered a bribe of 2,000*l.* to Mr. L. Jones if he would become their tool. The offer was scornfully rejected. They then worked upon Señor Diaz, the Government surveyor, who acceded to their wishes, and went from house to house in the Colony endeavouring to persuade the people to leave the Chupat, and go to the Rio Negro. Whilst Diaz was at work in the Colony, Messrs. Aguirre and Murga were busy in Buenos Ayres, unfavourable rumours were floated and overtures were made to Dr. Rawson, one of the Argentine Ministers, with a view to induce the Government to order the site of the Colony to be changed. The agitators said that one of their vessels was ready to sail, and if the Government would only say the word, they would take the Welsh colonists away to their own territory. Mr. Lewis Jones, accompanied by Mr. Harris, a highly respectable merchant of Patagones and Buenos Ayres, arrived at the seat of Government in time to expose the plot, and the consequence was that Messrs. Diaz, Aguirre and Alurga were reprimanded and told to leave the colony alone.

No. 7.

The Earl of Clarendon to Mr. Ford.

Sir, *Foreign Office, March* 8, 1866.

WITH reference to my despatch of the 19th ultimo, I transmit to you herewith, for your information, copies of a letter and of its inclosure from the Colonial Office relative to the Welsh settlement in Patagonia.*

I am, &c.
(Signed) CLARENDON.

No. 8.

Mr. Ford to the Earl of Clarendon.— (*Received May* 31.)

My Lord, *Buenos Ayres, April* 22, 1866.

I HAVE the honour to acknowledge the receipt of your Lordship's despatches of the 19th February and of the 8th of March, transmitting to me copies of reports

* No. 6.

which your Lordship had received from the Colonial Office, respecting the Welsh emigration recently carried on from Liverpool to the coast of Patagonia, and, in accordance with your Lordship's instructions, I beg to submit the inclosed report which I have drawn up on the subject, from reliable sources and from conversations with persons who have seen the settlers on the River Chupat.

Your Lordship will perceive that the colony stands little chance of succeeding in permanently establishing itself should the monthly supply afforded by the Argentine Government be withdrawn. The colonists, it is universally admitted, are not of the right sort, and it is a matter of regret, if not one for censure, that the promoters of the scheme in Liverpool should ever have permitted such a party of emigrants to embark on so arduous an undertaking.

The alarming accounts circulated as to the starving condition of these people had no foundation; on the contrary, since their arrival in this country they have had a profusion of the necessaries of life, which they at first appear to have consumed in a somewhat wanton manner. The sums which have been lavished on the emigrants personally, and on the promotion of the colonization scheme in general, have been enormous, and Señor Rawson particularly blames the reckless expenditure made by the agent of the colonists (Mr. L. Jones) whilst in Buenos Ayres. The inclosed statement will show, approximately, what the colony has cost up to the present; and it cannot be denied but that the Argentine Government, or rather Señor Rawson, the Minister of the Interior, who may be said to be particularly interested in the success of the movement, have acted in a spirit of the greatest generosity. Nevertheless, it should not be lost sight of that in a political point of view the Government have had an object in making a sacrifice to promote the settlement of a colony at any cost, under the flag of the Republic, on Patagonian soil, which they claim as Argentine territory, but which, from its hitherto unoccupied condition, has been open to dispute, although no direct question as to its rightful sovereignty has been pressed upon the Government.

On maps of South America the Rio Negro is marked as the limit of the Argentine Confederation, the term of Patagonia being given to the country beyond it. This line of demarcation Señor Rawson would like to see corrected, and to be able to point to flourishing colonies established there under Argentine protection, as a proof of the country belonging to the Republic. Through this motive, his Excellency is very anxious lest the present Welsh settlement should be broken up, for, should such an event occur, he believes that no other emigrants could be induced to settle in those regions for many years to come.

As an abstract fact, it may be mentioned that the requirements of this country do not call for the establishment of colonies. What is really most urgently wanted is a strong tide of free immigration. The number of immigrants coming to these shores is most insufficient, and, were the country better known and the vast advantages it holds out to the poorer classes of labourers and mechanics more generally appreciated, a mutual gain to themselves and to the Republic would be established.

The influx of Italians and Basques over that of other nations is very remarkable, and, to prove their thriving condition and that of other immigrants, after a residence of some years in the country, I can state that the bulk of the capital used by the Provincial Bank of Buenos Ayres belongs to foreigners of this class, who have deposited their savings in it. By a statement made on the 30th of August, 1863, of the sums deposited in that bank by ten thousand depositors, more than seven thousand were foreigners, and the amounts exceeded two millions of pounds sterling.

I have, &c.
(Signed) FRANCIS CLARE FORD.

Inclosure 1 in No. 8.

Report on the Welsh Colony on the River Chupat, East Coast of Patagonia, drawn up by Mr. Ford.

Buenos Ayres, April 22, 1866.

THE establishment of a colony on the Eastern Coast of Patagonia has long occupied the attention of the Argentine Government; and Señor Rawson, the Minister of the Interior, has ever shown a particular interest in the scheme, which his Excellency did not despair of seeing some day successfully carried out. He was aided in his efforts to make the enterprize known in England by Mr. Phibbs, the Argentine Consul-General at Liverpool. Señor Rawson had hoped, in the year 1863, to have been in a position to offer

advantageous terms to emigrants who should undertake to settle at the River Chupat; but a Bill he presented to the National Congress in that year, asking their sanction to a subsidy for the projected colony, was rejected, less, it would appear, on pecuniary motives than from a jealous fear lest, should the first settlers be Englishmen, a claim might on that account be set up to the territory of Patagonia being the property of Great Britain.

Señor Rawson's ardent desire was to see a colony established under the Argentine flag beyond the Rio Negro. The territory south of that river, he was of opinion, belonged, undoubtedly, to the Argentine Republic, and a settlement formed under its sanction and protection would, he considered, put at rest the question of the somewhat undefined sovereignty over those remote ad uncivilized regions.

In 1862 the Congress had passed a Land Bill regulating the conditions under which emigrants settling in this Republic could occupy Government land, conceding 100 acres to every three statute adults. Señor Rawson, on failing to obtain from Congress the subsidy he had demanded, instructed Mr. Phibbs to organize, if possible, a colony to Patagonia, based on the advantages held out by the Land Law, which that gentleman succeeded in doing, and a vessel, the "Hatton Castle," was actually chartered to convey 150 Welsh emigrants out, on the 27th of April, 1865. Owing, however, to the ship not arriving at Liverpool on the day fixed for her departure, the emigrants, who were a set of fine able-bodied men, and well adapted for the service they were embarking on, lost patience and returned to their native homes.

The President of the Society, a Welsh gentleman, Mr. D. Jones, unwilling that the scheme should fail on account of this untoward event, collected together a new set, who finally started for the east coast of Patagonia, on the 31st of May, 1865. The composition, however, of this fresh batch of colonists was very defective, and far inferior to the original one, and to this circumstance must mainly be ascribed the signal failure that has hitherto attended their movements.

Of the 130 souls who embarked on the "Mimosa," on the 31st of May, one-third only were able-bodied men. The rest were women and young children.

Señor Rawson was greatly disappointed when he heard that the colonists expected in the "Hatton Castle" were not to arrive, and still more so when he learnt the sort of emigrants who had set foot on the Patagonian coast. Nevertheless, he behaved in the most generous and benevolent manner towards the new-comers, and, although not authorized to do so by Congress, he placed the sum of 4,000 patacons, equal to 800*l.*, at their disposal. He has also, since February, granted them a monthly allowance of 700 patacons, equal to 125*l.* sterling, which sum has been paid up to April. He has, moreover, expended large amounts, exceeding 2,000*l.*, in compensating the native Indian chiefs for the lands they considered their own, and of which they were dispossessed, and for enlisting their goodwill and protection to the colonists against the attacks and maraudings of hostile tribes.

Señor Rawson also deputed a Government Surveyor, Señor Diaz, to proceed to the River Chupat, in order to measure out 500 farms, which service, amounting to over 1,000*l.*, he himself defrayed.

All these heavy disbursements have been met by a sum of 4,000*l.*, which is annually granted in this country for the purpose of fostering emigration, which has been more than consumed in succouring this Patagonian Colony; and it is much to be doubted, when Señor Rawson lays the financial statement of his Department before the Congress, which will assemble early next month, whether that Body will sanction the further continuance of this appropriation of the Emigration Fund money to the support of a Colony which, after ten months' residence on the fertile soil of the Settlement allotted to it, might very reasonably be expected to be in a position to take care of itself.

It is greatly to be feared that incorrigible idleness and total inaptitude for work will prevent any good result arising from the establishment of this Colony, the more so as the members comprising it have shown such a want of knowledge in the art of husbandry.

Many instances of their improvidence could be cited. On first disembarking at New Harbour Bay they allowed much valuable time to elapse before moving on to their ground on the River Chupat, which was only thirty miles distant. The consequence was that they arrived too late for planting the seeds they took with them; and, to make matters worse, those they did sow appear to have been put so near the surface of the soil that they procured no crops from them.

An occasion soon presented itself affording them an excellent opportunity of occupying themselves, and of redeeming in some way a part of the money that had been expended on their account, both by their Agent on the spot, and by the promoters of the scheme in Liverpool; for in the vicinity of New Harbour Bay, at a point on the coast between Port

Desire and Cape Three Points, is a cluster of islands covered with guano deposits, which the Government raised no objection to their collecting and shipping off to England or elsewhere. Still they refused to comply with the wish of their Agent by engaging themselves to the work. That gentleman, whilst in the town of Patagones, situated on the River Negro, had purchased for the colonists, besides lumber for building huts, and a considerable amount of wheat, 1,000 sheep and other live stock, from which, however, they failed to derive much advantage, for those they did not eat strayed away and were lost whilst being driven to the Chupat River; and the only live stock the Colony at present possesses is some 40 milch cows which were subsequently supplied to them by the Argentine Government.

Mr. L. Jones had also bought for them a couple of carts, and some bullocks to draw them. The latter, however, they preferred consuming to adapting to the service for which they had been intended; and they allowed the carts, and many working implements brought from England, to remain and rot on the sea-beach.

New Harbour Bay is full of excellent fish, which they were too indolent to catch; and although the country abounds with wild duck and game, the few guns possessed by the party were sent to Patagones to be exchanged for table luxuries.

The limits of this Report do not permit me to enter into many details respecting this ill-composed body of colonists, whose time, it would appear, is rather devoted to the grinding the wheat provided for them than to developing the resources of a rich country.

They early quarrelled with their Agent, Mr. L. Jones, and replaced him by a member of their own body, a Mr. Davis, who is greatly attached to their interests, and who finds, by alleging inexperience, an excuse for their shortcomings.

The fact is but too patent that the colony, without some extraordinary change takes place in their mode of living and present behaviour, will stand but a poor chance o permanently establishing itself. It may possibly subsist a few months longer, but the general opinion is that the emigrants will at no distant period either return home, or else emigrate from the River Chupat to the River Negro, and be absorbed either in the town population of Patagonia, or else hire themselves to labour in the extensive farms of Messrs. Aguirre and Murga, two wealthy gentlemen possessed of large property in the neighbourhood of that town, and who, ever since the colonists first arrived at New Harbour Bay, have been constantly intriguing to induce them to change their quarters and enter their service, where they are greatly required.

The question of this transfer, indeed, has been very publicly mooted, and Señor Rawson had even informed them that although he should view their departure with feelings of the greatest reluctance and regret, they were, nevertheless, free to consult their own wishes; and he had been answered by the colonists that they were well satisfied with their present condition, and had no desire to change it,—a decision, I am led to believe, founded on the expectation that the Government will continue its monthly subsidy to them, and greatly to the detriment of a more proper feeling of self-reliance on their own individual exertions; and it remains to be seen what effect the very probable withdrawal of the monthly Government allowance of 125*l.*, when Congress meets, will have upon them, and whether they are really able to carry out the expectations formed of them, and are capable of proving themselves worthy pioneers to a scheme of colonization which, if fairly established and properly carried out, would work incalculable benefits, by bringing under the banner of civilization large tracts of rich country which at present are uninhabited but by savage tribes of Indians.

Inclosure 2 in No. 8.

STATEMENT of Monies laid out on account of Welsh Colony at Patagonia, from May 31, 1865, up to the month of April, 1866.

	£	s.	
By President of the Society at Liverpool for vessel to take emigrants out, for fitting out the same, and for four months' supplies	3,000	0	0
Mr. L. Jones, agent to the Society, chartering a Danish vessel at Buenos Ayres to go to River Chupat..	500	0	0
1,000 sheep, bought at Patagones for 50,000 paper dollars	400	0	0
300 sacks of wheat, horses, lumber, seeds, &c., 62,000 paper dollars ..	500	0	0
Argentine Government, 4,000 patacons	800	0	0
700 patacons paid monthly during February, March, and April.. ..	375	0	0
Government Surveyor, for measuring out farms, 100,000 paper dollars ..	833	0	0
His personal expenses, 30,000 paper dollars..	250	0	0
Paid to Indian chiefs, 300,000 paper dollars..	2,555	0	0
Total	9,213	0	0

No. 9.

The Earl of Clarendon to Mr. Ford.

Sir, *Foreign Office, June* 5, 1866.

I HAVE received and read with much interest your despatch of the 22nd of April, and the Report inclosed therein, relative to the condition of the Welsh Colony on the Coast of Patagonia, and I have to state to you that Her Majesty's Government consider the conduct of Señor Rawson towards the colonists to have been both liberal and humane.

I am, &c.
(Signed) CLARENDON.

No. 10.

Mr. Ford to the Earl of Clarendon.—(Received July 19.)

My Lord, *Buenos Ayres, June* 13, 1866.

CAPTAIN MACKENZIE, Governor of the Falkland Islands, having received the most alarming accounts as to the state of destitution, bordering upon starvation, in which the Welsh colony at the River Chupat in Patagonia at present finds itself, chartered a special vessel to convey the intelligence to Vice-Admiral Elliot, commanding Her Britannic Majesty's naval forces on the eastern coast of South America, and also to Mr. Lettsom, Her Majesty's Consul-General at Monte Video, with a view to their taking such steps as they might deem necessary in order to relieve these distressed British subjects. Mr. Lettsom at once communicated to me on the matter as being one connected with the River Chupat in Argentine territory, and, consequently, not coming under his cognizance. Vice-Admiral Elliot also addressed me a despatch requesting information on the condition of the colonists and inviting my opinion as to the best means of rendering assistance to our countrymen.

As Governor Mackenzie will have reported on the subject to Her Majesty's Principal Secretary of State for the Colonies, and, as I conclude, the appeal made to him by the nineteen Welsh colonists will create a very unfavourable and distressing impression as to the condition of the colony in general, I hasten to forward to your Lordship copy of a despatch I have this day addressed to Admiral Elliot, which, I trust, will tend to allay any undue alarm as to the extremely critical position in which these settlers would appear to be placed. I trust your Lordship will approve of the steps I have counselled in the present emergency, and should Admiral Elliot concur in my views and act up to my advice, I feel confident that a great step will be gained in having acquired some positive knowledge as to the exact condition of a party of emigrants about whom it would seem that no two statements agree. Señor Rawson, the Argentine Minister for the Interior, informed me that, had it been possible, he would have sent a steamer himself to the Chupat River with a Government official to report upon the matter, but, owing to the exigencies of the present war, every river craft was taken up. He expressed himself as exceedingly anxious that my advice might be carried out, for he watched the settlement on the River Chupat with the most intense interest. He was far from placing full reliance upon the accuracy of the statements made to Governor McKenzie, and he justified his not doing so from the fact that supplies had regularly been sent by the Argentine Government to the settlement. These provisions were defrayed out of the sum of 730 patacons, equal to 125*l.*, which the Government gave each month as a subsidy to the colonists until such time as they had fairly become established and could support themselves.

I have, &c.
(Signed) FRANCIS CLARE FORD.

Inclosure in No. 10.

Mr. Ford to Vice-Admiral Elliot.

Sir, *Buenos Ayres, June* 13, 1866.

I HAVE the honour to acknowledge the receipt of your despatch dated the 2nd instant, forwarding for my information copy of correspondence from Captain Mackenzie, Governor of the Falkland Islands, respecting the state of the Welsh settlers at the Chupat River in Patagonia.

It is with great distress I learn the afflicting position in which it would appear many of the colonists are placed, but, for reasons which I shall have occasion to state, I can hardly give entire credence to the assertion that they are on the brink of starvation, and wholly destitute of clothing.

On your despatch reaching me, I lost no time in seeking an interview with Señor Rawson, the Argentine Minister of the Interior, who being one of the principal promoters of the Welsh colonization scheme has ever evinced a most lively interest in its fate and welfare, and who, since the arrival of the settlers in Patagonia, has expended large sums of money on it, and has even given to it a monthly subsidy of 700 patacons, equal to 125*l.*

Señor Rawson expressed no little astonishment at the report I gave him, as based on the information received by the Governor of the Falkland Islands, of the precarious state to which the colonists were reduced; and his Excellency was the more surprised as reports he had been furnished with by Mr. Harris, the agents of the colonists at Patagones (a town on the Rio Negro), inclosing letters that gentleman had received from a Mr. Davies, who is the head of the Committee of the Colony at the River Chupat, were far from coinciding with the distressing accounts that have now reached us indirectly through the Falkland Islands.

The nineteen Welshmen and Welshwomen who appeal to the sympathy of the Governor of the Falkland Islands, with a view to being removed to the English colony, date their memorial the 18th of March. Now, Señor Rawson showed me a letter, dated Chupat, March 8, addressed to him by Mr. Davies, in which the following passages occur:—"I expect we shall get on, slow and sure;" again, "I have seen more butter and milk here already than I saw during the whole time I was in Buenos Ayres." Mr. Harris, writing to Señor Rawson on the 30th of April (more than a month after the date of the appeal) says:—"the colonists are contented, and exceedingly sanguine, and entertain hopes in a very short time, and with the protection of the Argentine Government, to be able to provide for themselves;" and Mr. Humphreys, a missionary at the colony, writing about the same time says:—"We have not killed any of our cattle, but try to get our meat on the camp, and we have not been in need of provisions."

It is difficult to reconcile these statements with those contained in the address of the nineteen colonists above alluded to, who assert that for many weeks they had barely received two biscuits a-head per day, and a small cup of water mixed with tea.

It is quite evident that information of a reliable nature as to the true state of this distant settlement is very deficient, and that, in the face of the contradictory statements that do reach us, it has become a matter of no little importance to arrive at the truth, and with a view to doing so I would submit to your consideration the advisability of your despatching one of the vessels under your command to New Harbour Bay, which is in immediate neighbourhood of the site of the Colony, and I would propose sending Mr. Watson, Second Secretary to this Legation, whom I should instruct to frame a report on the exact state of the Colony, with a view to an accurate opinion being formed as to the possibility of our countrymen being able to fix themselves permanently on the River Chupat, and of testing the authenticity of so many conflicting reports, which are calculated to cause such natural anxiety and alarm. Moreover, I would undertake to raise a subscription amongst the British residents of this capital, which list I would myself head by a donation of 20*l.*, in order to procure, if possible, a sum of from 60*l.* to 100*l.*, which I would devote to the purchasing of blankets, warm clothing, and eatables, to be distributed amongst the colonists, so that they should be placed beyond the fear of starvation, and be able to tide over the next few months in their present quarters: but I should add that, only three weeks ago, a cargo of provisions was sent by the Argentine Government, which, it is expected, is already in their possession.

After the alarming assertions brought to our notice through the official channel of the Governor of the Falkland Islands, it is incumbent on us to inquire how they are founded, and, at the same time of instituting inquiries on the spot, to take a good supply of the necessaries of life to alleviate the sufferings of any of our countrymen who may really be placed in the critical position some of them describe; but I question how far we should be justified in breaking the colony up, and affording the means to any members of it who, actuated, may be, rather by feelings of discontent than from sheer distress, are seeking to escape from a life which has become distasteful to them.

The subsequent fate of the Welsh Colony in Patagonia I conceive to be a question that must be solved by those parties who, at great personal expense, first originated the scheme in England, and who, for what we know, may have a right to anticipate some returns for their outlay.

With regard to Señor Rawson, I must in justice state that, although he expressed his unfeigned regret at the probability of an European colony on Argentine territory being

broken up—one on the ultimate success of which he had set his heart—he did not for a moment hesitate to declare that the settlers were free to depart if they so willed it.

His Excellency expressed his entire approval of the course I proposed to pursue—that of instituting on the spot an impartial and reliable inquiry as to the real state of the Colony; and he expressed the desire, should you aid me in carrying it out, to be permitted to depute an agent of this Government to accompany the expedition, for the Welsh Colony, he said, is under the exclusive jurisdiction of the Argentine Government, and he was anxious himself to collect information about it.

I shall await the favour of your reply before taking any steps as to the subscription I contemplate raising on behalf of our countrymen.

I have, &c.
(Signed) FRANCIS CLARE FORD.

No. 11.

Lord Stanley to Mr. Ford.

Sir, *Foreign Office, July* 21, 1866.

I HAVE received your despatch of the 13th ultimo, reporting the steps you have taken in regard to the alleged state of destitution in which the Welsh colony in Patagonia find itself; and I have to convey to you my approval of the letter which you addressed to the Vice-Admiral Elliot upon this subject.

I am, &c.
(Signed) STANLEY.

No. 12.

The Secretary to the Admiralty to Mr. Hammond.—(Received July 23.)

Sir, *Admiralty, July* 20, 1866.

I AM commanded by my Lords Commissioners of the Admiralty to transmit herewith, for the information of Lord Stanley, a copy of a letter dated the 14th ultimo from Rear-Admiral the Hon. C. Elliot, with its inclosures in original, respecting the Welsh settlement on the Chupat River, in Patagonia (Argentine territory), and stating that the "Triton" had been sent to Bahia Nueva to communicate with the settlers.

I am, &c.
(Signed) W. G. ROMAINE.

Inclosure in No. 12.

Vice-Admiral Elliot to the Secretary to the Admiralty.

Sir, "*Narcissus*," *Monte Video, June* 14, 1866.

I HAVE the honour to forward, for the information of the Lords Commissioners of the Admiralty, copy of a letter and its inclosures from Captain Mackenzie, Governor of the Falkland Islands, respecting the reported distressed state of the Welsh settlement lately established on the Chupat River, in Patagonia.

2. Immediately on receipt of these documents, I communicated with Mr. Ford, Her Majesty's Chargé d'Affaires at Buenos Ayres, being aware that the Argentine Government had advanced considerable sums of money to assist the settlement, and I begged him to let me know whether the colonists could count upon any supplies or assistance being sent to them by the Buenos Ayrean Government, or by their own agents there, and requested his opinion as to how I could best be of service to them in sending one of Her Majesty's ships to that coast. Inclosed is a copy of Mr. Ford's reply received to-day.

3. There is probably much exaggeration in the account transmitted by Captain Mackenzie of the distressed state of the colonists; but I have given Lieutenant Napier orders to proceed in the "Triton" to Bahia Nueva, in order to communicate with the settlement, and to render such assistance as is necessary to the distressed colonists. I have desired to embark for a passage Captain Watson, of the British Legation at Buenos Ayres, and an Agent from the Argentine Government, in accordance with Mr. Ford's suggestion, and to sail as soon as he has them on board.

I have, &c.
(Signed) CHAS. ELLIOT.

No. 13.

Mr. Lettsom to the Earl of Clarendon.—(*Received August* 3.)

My Lord, *Monte Video, June* 27, 1866.

I HAVE the honour to place herewith in your hands copy of a despatch, and of its inclosures, which I have received from Captain Mackenzie, R.N., Governor of the Falkland Islands, relating to the alleged sad condition of the individuals composing the Welsh Colony situated on the Chupat River in Patagonia.

His Excellency Governor Mackenzie has written to me on this subject on the supposition, as I conceive, that matters touching British subjects in Patagonia come within my cognizance.

I have further the honour to transmit to your Lordship herewith copy of a despatch that I addressed on this question to Mr. Ford, Her Majesty's Chargé d'Affaires at Buenos Ayres.

I inclose also a copy of Mr. Ford's answer thereto, and likewise a copy of my reply to that answer.

I further annex a copy of a despatch which I addressed to Governor Mackenzie, acquainting his Excellency with what Vice-Admiral Elliot purposed doing for the relief of the Colonists spoken of.

The relief of Mr. Robinson, the newly appointed Governor of the Falkland Islands, led, however, to a modification of the course originally proposed to be taken by Vice-Admiral Elliot.

Her Majesty's ship "Triton," having on board Mr. R. G. Watson, the Second Secretary to Her Majesty's Legation at Buenos Ayres, and also a gentleman named by the Argentine Government to act as their Commissioner, left this place on the 15th instant to proceed to the Chupat River.

From the inquiry which those gentlemen will institute, with the assistance of Captain Napier, of the "Triton," the true condition of the members of the Welsh Colony will shortly be ascertained.

I have, &c.
(Signed) W. G. LETTSOM.

Inclosure 1 in No. 13.

Governor Mackenzie to Mr. Lettsom.

Sir, *Government House, Falkland Islands, May* 16, 1866.

I HAVE the honour to inform you that I have chartered the brigantine "Annie" of this port, Mc Lauchlen, Master, to convey to you the inclosed documents on the subject of the projected foundation of a Welsh Colony on the Chupat River and at New Bay in Patagonia, and representing that the entire community, consisting of about 150 men, women, and children, are now on the brink of starvation.

2. Having no means at my disposal for rendering them any assistance, I have thought my only course was to communicate with you and Rear-Admiral C. B. Elliot, C.B. (to whom I likewise transmit copies of the inclosed documents), feeling confident that in the interests of humanity these unhappy and misguided people will receive at your hands all the consideration and help which is requisite.

3. I need only add that if it is decided to be expedient that any of them should be transferred to this Colony I shall be prepared to extend to them that full amount of relief and protection to which every distressed subject of Her Majesty is entitled.

4. Before concluding, I would ask you to be good enough to send me a reply to this despatch, if possible, by the return of the "Annie" about the 13th proximo.

I have, &c.
(Signed) J. G. MACKENZIE.

Inclosure 2 in No. 13.

Governor Mackenzie to Mr. Lettsom.

Sir, *Government House, Falkland Islands, May* 16, 1866.

I HAVE the honour to transmit herewith a copy of an Address I have received, signed by nineteen of the inhabitants of the ill-fated settlement of the intended Welsh

colony at the Chupat River and New Bay, in Patagonia, representing a melancholy scene of starvation and suffering which these unfortunate people have had to endure, and, according to the inclosed papers, are still threatened with, at a time of year when such privations must be most acutely felt, and calculated to result in the most lamentable consequences.

These unhappy people apply to me to assist them, on the ground that they are British subjects, in great distress, and they implore me to remove them to the Falkland Islands.

2. In the first place, I am not sufficiently informed of the exact circumstances of their condition to enable me to adopt any immediate course for their relief, and I have no means at my disposal for increasing my information on the subject by dispatching a Government Commissioner to visit them and report to me the necessary particulars.

3. I have taken the depositions of Henry Pair, the master of the schooner "Fairy," who recently visited New Bay, and also of Joseph Jones and David John, two Welshmen, of the party who came over here on behalf of their fellow-countrymen. I beg to inclose copies of their depositions. It is reported by them that the entire population of the intended settlement is about 150 men, women, and children, now reduced to absolute want and misery, on the shores of so unhospitable a country as Patagonia.

4. Under these circumstances I have communicated with Mr. W. G. Lettsom, Her Majesty's Consul-General at Monte Video, and with Rear-Admiral the Honourable C. B. Elliot, C.B., Commander-in-chief of the Brazil squadron, in order that these gentlemen (who have at their command the means of giving effect to any decision they may arrive at) may take such steps as they may deem necessary in the matter. I have taken the liberty of furnishing both these gentlemen with a copy of this despatch, and also of its inclosures, to enable me to accomplish which I have chartered the brigantine "Annie" to proceed to Monte Video, and return to Stanley, for the sum of 75*l.* sterling.

I inclose a copy of the contract entered into with the master of that vessel, for which I trust to receive your sanction.

I have, &c.
(Signed) J. G. MACKENZIE.

Inclosure 3 in No. 13.

Address to Governor Mackenzie.

New Bay and Chupat River, Patagonia, March 8, 1866.

To your Honour and Excellency the Governor.

"WE beg to call your attention to our present state and circumstances, and humbly desire, on our behalf, your merciful feelings and Christian efforts to sympathize with the few natives of the British Government in our present state in Patagonia, the intended land to establish the Welsh colony. Before we departed from our native land, Great Britain, the Council of this movement published in several newspapers and handbills that Patagonia was pointed out as the most convenient, best, and peculiar land to establish the Welsh colony, and guaranteed to every three persons 100 acres of land, 5 horses, 10 cows, 20 sheep, seed for the ground, proper articles for farming, and plenty of food to live on till the harvest season.

According to that statement and good promise, several of the Welsh nation were strongly convinced and fully persuaded to enter this great undertaking, with great hopes of meeting everything all right in this noble land which was reported so favourably by the leaders of this important and false movement.

When we arrived in this colony we expected that every preparation was made to receive us according to what was published, but, to our wonder, after a long sailing, there was nothing, in short, to comfort the whole party but the open air day and night, and many of this party have been in great need of food, especially those who were situated on the borders of Chupat River.

We had nothing there to keep us alive for many weeks only a few biscuits, barely two of them to each person a day, and at last a small cup of water mixed with tea only for several days to support our wants and weak constitutions, and we have at present to live on dry bread and water. In one word, we have nothing sufficient as food in any way but very short allowance. Neither clothing of any kind. Many of our friends are wearing their last clothing and nothing to depend on but the bare skin towards the winter season. There is here no preparation in any way by the Council of this movement to supply our wants and great need; in one word, we are in great distress in many ways.

We are like slaves in bondage or prisoners in imprisonment, because there is in this colony no liberty, neither convenience to move us elsewhere. And according as we are situated, we are applying to you, as a Governor of an English colony, to sympathize with us, to move us to the Falkland islands. For God's sake have mercy upon us to bring us to British liberty.

This faithfully from,

(Signed) R. MIRION WILLIAMS.
AARON JOHN JENKINS.
RACHEL JENKINS, her ⋈ mark.
RICHARD J. JENKINS, his ⋈ mark.
WILLIAM REES.
THOMAS SIMKINS.
MARY JENKINS.
RICHARD HARWELL WILLIAMS.
EDWARD PRICE.
ROBERT DAVIES, his ⋈ mark.
HENRY DAVIES.
WILLIAM DAVIS, his ⋈ mark.
DAVID JOHN.
JOSHUA JONES.
JANE HUGHES.
WILLIAM HUGHES.
ANN HUGHES.
MARY LEWIES.
ANN HUGHES.

March 8, 1866.

N.B.—Please to furnish us with an answer if possible. But the most and the best answer of all will be your kindness to move us from this wilderness to your colony. Have mercy upon us.

Direct:
Rev. R. M. Williams,
Baptist Minister,
Chupat River, Patagonia.

Inclosure 4 in No. 13.

Depositions of Joseph Jones and David John.

Falkland Islands.

In the presence of his Excellency Governor Mackenzie, and W. R. Pine, Esq., Colonial Secretary.

WE, the above-named, depose as follows :—On the 28th of May, 1865, we left Wales in the ship "Mimosa," Captain Peppren, with about 150 men, women, and children, and sailed for the Chupat River in Patagonia, with the view of forming a Welsh settlement there.

The enterprise of forming this Welsh colony originated in Wales, and had been many years in contemplation. It was carried on and promoted by a few persons who formed themselves into a Committee in Wales.

The principal person was the Rev. M. D. Jones, of Bala, an Independent minister. The Committee procured the services of Mr. Lewis and Captain Parry to proceed to Buenos Ayres to make arrangements with the Buenos Ayrean Government, and to visit and survey the Chupat River and New Bay.

More than a year before we embarked, pamphlets in the Welsh language were distributed by the Committee promising to every three persons 100 acres of land, 10 cows, 5 horses, 20 sheep, and agricultural instruments, with seeds, and sufficient wheat to last until the harvest time.

We arrived at the Chupat River about the end of July, 1865. When we sailed, twelve of the party were formed into a Committee to manage the affairs of the undertaking.

We were landed at once in New Bay, because the ship was too big to go up the Chupat River, about thirty-five miles off, with provisions. About six wooden sheds were erected, which were not capable of holding half of us. Some of us at once started for

the Chupat River. We started at night, and we were three days and nights getting there. We lost our way, as we had no guides. We had only a few pounds of biscuit; enough to last four or five days. A boat was sent with provisions to go up the river, but the boat upset, as the sea was rough and the boat small. We had no materials for building, neither wood, nor stone, nor clay, though we were led to believe that on our arrival every necessary of the kind would be provided. We made a small hut of rushes, and remained there. We had no horses, no guns, and no dogs. We killed (to eat) foxes, skunks, and every beast we could get at in order to live. In about five days some more people found their way across from New Bay expecting to find, at least, means of living and shelter of a night. We mustered now about twenty-five men; we remained there. When these last few came to us, we had only two biscuits each, and two of them returned back at night to go to New Bay, thirty-five miles off, and get some provisions. They did not return to us for six or seven days, and then they brought enough provisions for a week. We had to keep sending in this way for food. Many lost their way, and some returned nearly starved and so tired as not to be able to stand on their feet. About three months after, the remainder of the party were brought round in a schooner commanded by Captain Woods, to the Chupat River, where we were. They said that they were nearly starved on board for a fortnight, though there were plenty of provisions on board.

When the remainder came to us we had nothing to eat. Captain Woods continued to run backwards and forwards from New Bay carrying our baggage; and he used to land once a fortnight or three weeks a little food, hardly enough to keep us alive. We were in this way for about two months. When Captain Woods finally left us, our President, Lewis Jones, went with him; that is about six months ago. Our Doctor deserted us at the same time, and four others.

Captain Woods left us with enough provisions to last two or three months, if used very sparingly.

The Land Surveyor of the Buenos Ayrean Government said that he would act as President or Agent, instead of Lewis Jones, and said that he would take care we were not without provisions. He returned to Buenos Ayres, and William Davies went with him. Neither Lewis Jones, nor Captain Woods, nor the Buenos Ayrean Land Surveyor ever returned. William Davies did return after being away three or four months. Before he left he was elected our new President. He returned by water with about two months' provisions, which were issued to us most sparingly. Davies remained with us from that time. Our first crops were an utter failure. We have suffered frightfully from starvation and exposure, hardly anything to eat, and no place to sleep under shelter; we have had to lie down in the wet, and to eat horseflesh, or any animal we could get hold of. About fourteen of us have died; three of us have been lost and never heard of. We have been in great misery and want, and we were utterly unprotected against the Indians and savages of the country, of whom we were all in fear. When we left there in the "Fairy" we believe that nearly all, if not all of them, would look with joy to any opportunity of getting away, they would not care where, anywhere away from such scenes of privation and misery as they have witnessed. There are about four or five fanatics, who say they will remain there until they die; the remainder are crying bitterly for assistance; they are badly clothed, some without boots and shoes; we are sure that if they do not get help and assistance rapidly before the winter fairly sets in, they must one and all die. They have no one to depend on for provisions or help of any kind when their present stock of provisions is exhausted, which cannot last more than three months, if issued according to the reduced scale. The whole undertaking has been a failure; the things promised to us have never been given; and we feel that we have been hopelessly deceived in the representations made to us which induced us to embark on this expedition.

(Signed) JOSEPH JONES.
DAVID JOHN, his ⋈ mark.

Declared before me, this 12th day of May, 1866.
(Signed) W. R. Pyne, *J. P.*

Inclosure 5 in No. 13.

Deposition of Henry Pain.

Falkland Islands.

In the presence of his Excellency Governor Mackenzie, and W. R. Pyne, Esq., Colonial Secretary.

I, HENRY PAIN, depose as follows, that about September 1865, I visited the Welsh Settlement at New Bay in Patagonia; there were at that time about 150 men,

women, and children. They had been there about two months, they were at that time employed in building their huts and ploughing the ground for cultivation. A Mr. Lewis Jones was the President of the society, and at that time he kept a store supplying the people with provisions, &c.

I visited New Bay again last month, April. The inhabitants were then not as well off as before, they told me that they had for some time been very short of provisions, and eight or nine of them came over to where I was at anchor, a distance of thirty-five miles, to ask me to take them away to Stanley on my return. They said nothing would grow, and they were afraid of starving. I told them I could not take them across. They then asked me to take a letter to the Governor of the Falkland Islands, which I duly conveyed to its destination. I was about six weeks in New Bay, during which time great numbers of them came to get me to take them away. Lewis Jones, their former President, had left them to themselves, and gone away.

The last time I was there, a Mr. Davies seemed to be the head of the party, he came to me and asked me not take any of them away, and I said I would not without the sanction of their Committee. He said one of his people wanted to send a letter to the Governor of the Falkland Islands, and he asked me not to take it. I asked him what he thought of the undertaking. He said he thought very bad of it, but he should stop a little longer to see whether the crops of next season would be better than the last. He seemed not to be sanguine about it. He said that if the crops failed and the Buenos Ayrean Government neglected to supply them, he thought they should all starve.

My own opinion is, that some two or three prime movers in the scheme have duped the remainder with the one idea of benefiting themselves, but finding there was not much to be made they left them to their own resources.

When I left, I took a letter and two passengers with me to Stanley.

I think the people are disheartened from what they have gone through. Many of them implored me to take them away, and I did promise some of them that I would return for them. One young girl of about seventeen rode all the way from the Chupat River, thirty-five miles, to beg of me to take her away. It was quite painful to see their supplications for help.

(Signed) HENRY PAIN, *Master of the "Fairy."*

Declared before me, this 12th day of May, 1866.

(Signed) W. R. PYNE, *J. P.*

Inclosure 6 in No. 13.

Mr. Lettsom to Mr. Ford.

Sir, *Monte Video, June* 2, 1866.

I HAVE the honour to inform you that I have just received from the Governor of the Falklands, a despatch with inclosures, detailing the sufferings of a Welsh Colony founded some time since up the Chupat River, in Patagonia.

Vice-Admiral Elliot informed me this morning that he has sent to you to-day a copy of the inclosures referred to, which he too has received from the Governor of the Falklands. I need not therefore transmit to you another copy thereof.

His Excellency Governor Mackenzie has addressed me on this matter, on the supposition, as I conceive, that affairs relating to the Chupat River come within my cognizance.

It is however to you that I turn, requesting you, in order to enable me to reply to Governor Mackenzie, to favour me with the information as to the colony referred to, all that I have heard on the subject being derived from the public papers some year and a-half or so since.

It was stated therein, if I recollect rightly, that it was purposed to establish a Welsh Republic somewhere on the coast of Patagonia.

I have to-day spoken fully to Vice-Admiral Elliot on the subject of Governor Mackenzie's communication to me, and this mail will bring you a letter from the Admiral which, as indeed might be expected of him, will show you that no time has been lost by him in taking steps to inquire into the true position of the colonists spoken of, so as to adopt such measures as may be necessary for their relief.

I have, &c.

(Signed) W. G. LETTSOM.

Inclosure 7 in No. 13.

Mr. Ford to Mr. Lettsom.

Sir, *Buenos Ayres, June* 13, 1866.

I HAVE the honour to acknowledge the receipt of your despatch of the 2nd instant, informing me that you had received a despatch from Governor Mackenzie, of the Falkland Islands, relative to the condition of the Welsh colonists on the River Chupat, and requesting me to furnish you with some information relating to them, in order that you may be able to reply to Governor Mackenzie's communication.

A despatch on the same subject has been addressed me by Vice-Admiral Elliot, to whom I have suggested the advisability, subject to his approval, of despatching a vessel to the River Chupat, with a view to collecting reliable information on the spot, as to the exact state of that colony.

I have reason to believe that the position of the settlers is not so critical as is represented in the appeal addressed by nineteen of their number to his Excellency the Governor of the Falkland Islands, and I am induced to form that opinion from the fact that the Argentine Government, ever since the arrival of the colonists in Patagonian soil, has regularly supplied them with provisions.

Pending a reply to the despatch I have addressed to Admiral Elliot, it would perhaps be unnecessary for me to give you details on the subject of this Welsh colony, but should you at a later period desire to be furnished with them, I shall only be too happy to act up to any request you may address me on the subject.

I have, &c.

(Signed) FRANCIS CLARE FORD.

Inclosure 8 in No. 13.

Mr. Lettsom to Mr. Ford.

Sir, *Monte Video, June* 15, 1866.

I HAVE the honour to acknowledge the receipt of your despatch of the 13th instant, relating to the Welsh colony in Patagonia.

Thanking you for your offer to provide me with fuller information respecting that establishment should I desire it, I beg leave to say that as I am not called upon to address his Excellency the Governor of the Falkland Islands again upon the matter, I need not trouble you further upon this subject.

I have, &c.

(Signed) W. G. LETTSOM.

Inclosure 9 in No. 13.

Mr. Lettsom to Governor Mackenzie.

Sir, *Monte Video, June* 10, 1866.

I HAVE the honour to acknowledge the receipt of your Excellency's despatch of the 16th ultimo, with its inclosures, referring to the subject of the so-called Welsh colony established on the Chupat River, in Patagonia.

On the receipt of that communication, I immediately addressed to Mr. Ford, Her Majesty's Chargé d'Affaires at Buenos Ayres, the despatch of which I have the honour to place the annexed copy in your Excellency's hands.

I also without loss of time discussed at length with Vice-Admiral Elliot, Commander-in-chief, the entire matter treated of in your Excellency's despatch.

As yet, I have not received from Mr. Ford an answer to my despatch above referred to.

The present communication will be delivered to your Excellency by the Commander, whom Vice-Admiral Elliot has directed to visit the Welsh colony on the Chupat; and I do not doubt that what will be done by that officer for the relief of the Welsh colonists will meet with your Excellency's entire approval.

I have, &c.

(Signed) W. G. LETTSOM.

No. 14.

Mr. Ford to the Earl of Clarendon.—(*Received August* 3.)

My Lord, *Buenos Ayres, June* 19, 1866.

WITH reference to my despatch of the 13th instant, relating the steps I deemed it expedient to take in conjunction with Admiral Elliot, commanding Her Majesty's naval forces of the east coast of South America, with a view to rendering assistance to the Welsh colonists on the River Chupat, who were represented as in a state of great destitution, I have the honour to inform your Lordship that, it having come to my knowledge that the provisions destined for the colonists by the Argentine Government (and referred to in my letter to Admiral Elliot, copy of which was inclosed to your Lordship in my above-mentioned despatch), were still in Buenos Ayres awaiting a vessel to take them to the River Chupat, I caused them to be shipped at once on board Her Majesty's gunboat "Gleaner," for conveyance to, and transhipment at, Monte Video on board Her Majesty's ship "Triton," which vessel had been placed by Admiral Elliot's orders in readiness to sail to the Chupat River.

The delay occasioned in the forwarding of this cargo could not have acted unfavourably on the condition of the colonists, for they were in possession of provisions sufficient for three months, which had been sent them on the 3rd of February, and which reached them early in March. Moreover, Mr. Harris, an agent of the colonists resident at Patagones, on the Rio Negro, was provided with a special credit for the sum of 100*l.*, which had been placed in his hands by the Argentine Government to be expended in case of emergency, should the arrival of the regular supply of provisions meet with any unexpected detention, and the colonists have a small craft of their own which trades regularly between their settlement and the Rio Negro.

I have the honour to inclose herewith, a list of the provisions that were sent in February, of those that I despatched on the 18th instant, and of a further supply the Argentine Government are about to forward to the River Chupat, and which, owing to want of space, the "Gleaner" was unable to take on board.

I consider it my duty to furnish your Lordship with these minute details as, in consequence of the alarming accounts furnished to the Governor of the Falkland Islands by nineteen of the colonists, your Lordship will feel anxious to learn what probability exists of their being founded on truth.

Captain Watson, Secretary to this Legation, and Señor Archales, who was specially named by this Government to accompany the expedition, have gone on board the "Triton" to the Chupat River. I have instructed Captain Watson to examine into the condition of the colonists in order to ascertain the exact truth of the conflicting reports that have hitherto reached us, also to report on the aspect of the ground as adapted for the site of a colony, and further to find out if the majority of the settlers are anxious to remove to any other less remote locality in the Argentine territory, for, should they desire to do so, this Government is willing to assist them in carrying out their views.

The "Triton" sailed from Monte Video on the 19th instant and I expect will return about the 12th of July.

I have, &c.
(Signed) FRANCIS CLARE FORD.

Inclosure in No. 14.

LIST of the Provisions sent to the Welsh Colony on the River Chupat on board a vessel purchased by Mr. Davies, Agent of the Colony, in which vessel he went to the Chupat in charge of the same.

	Lbs.		Lbs.
Flour	15,000	Lard	500
Bread	1,550	Soap	232
Rice	825	Tea	240
Coffee	50	Jerked beef	6,000
Sugar	1,225		Gals.
Potatoes	5,000	1 barrel of vinegar	28

Buenos Ayres, February 3, 1866.

(Signed) JUAN M. CARREGA, *Purveyor.*

List of Provisions sent to the Welsh Colony per Her Britannic Majesty's Gun-boat "Triton."

	Lbs.		Lbs.
Flour	6,000	Pork lard	120
Rice	1,308	Tea	120
Coffee	648	Presented by M. Carréga—	
Fariña	1,050	Corn meal	40
Beans	925		Gals.
Potatoes	2,550	1 barrel of vinegar	28
Bread	1,250	Presented by Mr. Ford—	
Mess beef	2,400	1 case of men's boots.	
Lard	150	1 case of brandy.	
Sugar	1,460	1 case of port wine.	

A supply of warm clothing taken by Lieutenant Napier on board the "Triton."

Buenos Ayres, June 18, 1866.

(Signed) JUAN M. CARREGA, *Purveyor.*

List of Provisions that will be sent to the Welsh Colony by first opportunity, and for which there was no room on board the "Gleaner" for conveyance as far as Monte Video.

	Lbs.		Lbs.
Flour	12,500	Lard	375
Bread	2,500	Soap	500
Rice	900	Tea	120
Coffee	300	Jerked beef	7,500
Sugar	1,000	Beans	700
Potatoes	3,750	Corn meal	80
	Gals.	Fariña	1,750
1 barrel of vinegar	28	1 case of different classes of seeds.	

(Signed) JUAN M. CARREGA, *Purveyor.*

No. 15.

Lord Stanley to Mr. Ford.

Sir, *Foreign Office, August* 6, 1866.

I HAVE received your despatch of the 19th of June; and I have to convey to you my approval of the steps you have taken in regard to forwarding to the Welsh colony on the River Chupat the provisions destined for those colonists by the Argentine Government.

I am, &c.

(Signed) STANLEY.

No. 16.

Mr. Ford to the Earl of Clarendon.—(*Received August* 20.)

My Lord, *Buenos Ayres, July* 14, 1866.

HER Majesty's ship "Triton" returned to Monte Video from the Chupat River on the morning of the 9th instant, and Mr. Watson, Secretary to this Legation, arrived here yesterday by the English packet.

I avail myself of the departure this day of a supplementary mail, which leaves this port with a view to catching up the French packet at Monte Video, to acquaint your Lordship (in anticipation of Mr. Watson's full and interesting reports, which I shall have the honour of forwarding to your Lordship by next mail) that the condition of the Welsh colonists does not, on the whole, justify the unsatisfactory tidings that have hitherto reached us of it.

I consider that the mission on which the "Triton" was dispatched has been fully accomplished, inasmuch as no further question can exist as to the exact condition, requirements, and prospects of our countrymen settled in that remote part of the globe. All accounts hitherto received from the River Chupat were either maliciously distorted and exaggerated, or else of so conflicting a nature as to produce nothing but uncertainty and doubt.

On drawing up the report I had the honour to address your Lordship in my despatch of the 22nd of April, I availed myself of all the sources of information then at my disposal, and I am most rejoiced to find that both Señor Rawson, the Argentine Minister

of the Interior, and myself have been led astray in many important points relating to the state of the Welsh colonists—more particularly so with regard to the composition of that body, who, it would appear, are far from being the idle, discouraged set represented, but are, on the contrary, willing to work, and anxious to do all in their power to develop the resources of the soil on which they are settled, and to permanently establish themselves on it.

The document addressed to the Governor of the Falkland Islands on the 18th of March, and purported to have been signed by nineteen of the colonists, was in great part a fabrication and forgery, got up by ten of the only discontented members of a party consisting of one hundred and thirty souls.

Two errors certainly appear to have been committed by the original projectors of the River Chupat Colonization scheme, viz.:

1. That the prospectus circulated in Wales, in the Welsh language, was calculated to deceive persons desirous of emigrating, by holding out advantages to do so which were not subsequently realized.

2. That the arrival of the emigrants in Patagonia was improperly timed, for they reached their settlement after the season for sowing had passed.

In conclusion, I may add that Mr. Watson found the colonists in anything but a starving condition; that none of them desired to leave the Chupat, with the exception of the inconsiderable minority of ten persons; and that they are hopeful, when the difficulties consequent on first settling on a virgin soil have been overcome, of fairly establishing themselves in their newly-adopted home.

I have, &c.
(Signed) FRANCIS CLARE FORD.

No. 17.

Mr. Ford to the Earl of Clarendon.—(*Received August* 31.)

My Lord, *Buenos Ayres, July* 20, 1866.

I HAVE the honour to transmit herewith to your Lordship, two reports addressed me by Mr. Watson, Secretary to Her Majesty's Legation, relative to the Welsh Settlement at the River Chupat, together with a despatch, reporting the assistance rendered to the colonists by the officers and men of the "Triton."

I must bear testimony to the efficient manner in which Mr. Watson has carried out the duty assigned to him, the fulfilment of which necessitated an arduous voyage of twelve days on a boisterous sea at the most inclement season of the year, and a residence of five days on a spot where the bare necessaries of life alone could be procured.

Mr. Watson's able and comprehensive reports will place your Lordship in possession of all particulars and details regarding the Settlement, and it only remains for me to furnish a few additional remarks on certain points of importance.

With reference to the hardships to which the Welsh colonists were at first exposed some degree of blame much attach to the original projectors of the scheme in England who could not have been ignorant of the fact of the Project of Law relating to the Settlement having been discussed and rejected at a sitting held in the Argentine National Congress on the 27th of August, 1863; and it would appear that the advantages which it had been sought to secure to emigrants by the Project of Law, were nevertheless, indirectly, held out by the terms of the prospectus drawn up in the Welsh language, and widely circulated in Wales.

Your Lordship will find a copy and translation of that document inclosed in Mr. Watson's report, and I beg to transmit herewith copy and translation of the Project of Law, which was rejected by twenty-one votes to five in the Argentine Congress in 1863.

The projectors of the colonization scheme could scarcely allege ambiguity with regard to the intentions of the Argentine Government, for they were in possession of a letter addressed to them on the 22nd of November, 1864, by the Argentine Consul-General at Liverpool, stating, that although a hope was entertained at Buenos Ayres that, at some future time, another appeal might be made to the Congress, and a more extensive grant of land be conceded to the settlers on the River Chupat, for the present no greater inducement could be offered than the Land Law of 1862, copy and translation of which I have the honour to inclose herewith, granting 100 acres to each family establishing itself on Argentine national domains.

Señor Rawson assures me that no facilities or aid were promised by the Government; in short, nothing but the simple allotment of land was spoken of, and in corroboration of

that statement his Excellency showed me the correspondence that had passed on the subject; nevertheless, the Council of the Welsh Emigration Society appear to have confided in assistance being given by the Government, which they had no right to expect, and they exposed themselves to censure by sanctioning the departure of the emigrants from Liverpool whilst a single point of detail remained unsolved regarding the fate that awaited the Colonists on reaching their distant settlement; for on the individual exertions and foresight of the Council the whole success of the undertaking depended.

The Argentine Government cannot, I think, be accused of having caused the misfortunes that unhappily befell our countrymen during the first few months after their arrival at the Chupat, and I trust that they will be exonerated from all blame in the matter.

Señor Rawson has, on more than one occasion, expressed to me the shameful manner in which he has been deceived. He had been led to expect that 500 labouring men would have been sent out from Liverpool fully equipped with agricultural implements and seeds, and that they would have arrived at a season of the year, and in a position, to turn to immediate account the capabilities of a fertile soil; and although Mr. Watson's reports have dispelled the grave imputations of idleness cast upon the Welsh settlers, Señor Rawson is far from feeling sanguine as to the probability of so small a body men, encumbered as they are by so many women and children, being able to succeed in establishing themselves permanently on the Chupat.

The Argentine Government will certainly continue the monthly allowance of 700 dollars (140*l.*) until the end of November next, and Señor Rawson calculates that the Colonists will then be in possession of stores sufficient to last them until the end of March 1867; but his Excellency is opposed to any diversion of the funds supplied by the Government to other purpose than the purchase of the strict necessaries of life; and he is further of opinion that no new Colonists should be sent out to the Chupat without they be possessed of some capital, or provided with articles which they may require in order to establish themselves.

The Executive members of the Argentine Government are responsible to Congress for their actions, and although up to the present time large sums of money have been expended by them on the Welsh Colony out of an emigration fund voted in the Estimates of last year, it is very problematical, when the Minister of the Interior lays before the House his Budget for the ensuing year, whether the charge on account of the Welsh Settlement will be approved.

With regard to the claim set up by some of the Patagonian Caciques to land on the River Chupat, Señor Rawson informs me that two contracts have been signed (one last year and the other within the past fortnight) by the Argentine Minister of War and the Indian Chiefs, who agree to cede the land in return for support to be given to them, and an Indian village will soon be established at the Straits of Magellan.

In answer to some questions I addressed Señor Rawson, he informed me that it was intended some day to appoint a Governor to the Chupat, who would take supreme direction of the Colony, but at present no person suitable for the office had been found; the religious and national institutions of the Welshmen would not be interfered with.

It was not thought desirable to enrol as Argentine militiamen the settlers who had expressed a wish to that effect, foreigners in this country being exempted from military service.

All minerals discovered would be the property of the finder—a nominal tax being paid to the Government.

Steam navigation, it was hoped, would shortly be established between Buenos Ayres and Patagonia; arrangements had been entered into, for that purpose, with Captain Harrison, who failed to raise the funds required, and a new contractor was being sought.

The title deeds of the emigrants are to be given up to them at the expiration of the second year, when the land will become their own property and they can dispose of it as they may wish.

The further amount of provisions alluded to in my despatch of June 19 was shipped from Buenos Ayres on the 18th instant for the Welsh Settlement.

I have, &c.

(Signed) FRANCIS CLARE FORD.

Inclosure 1 in No. 17.

Mr. Watson to Mr. Ford.

Sir, *Monte Video, July* 10, 1866.

I LEFT Monte Video on the 19th ultimo in Her Majesty's ship "Triton," which sailed on that date from here for Bahia Nueva, under the orders of Vice-Admiral the

Honourable C. Elliot, C.B. After a voyage of six and a-half days, we arrived at our destination, when I proceeded to the Welsh Settlement on the River Chupat together with Señor Arenales, who had been deputed by his Excellency Señor Rawson to visit the colony, and with Lieutenant Napier, R.N., commanding Her Majesty's ship "Triton." The following five days were employed by us in making ourselves acquainted with the condition of the Welsh colony, and I have now the honour to submit, for your information, the result of the inquiries made.

This colony owes its origin to Mr. Jones, of the College at Bala, in Wales, who appears to have been desirous of establishing a settlement at which Welsh should be understood and to which persons speaking only that language could proceed with less disadvantage therefrom than would be likely to attend them in other colonies.

The late Admiral Fitzroy, who surveyed the coast of Patagonia, had reported that on the River Chupat there was a locality admirably adapted for a settlement, and an agent was sent by Mr. Jones to determine whether or not the projected colony should be established there.

This agent, by name Lewis Jones, who was accompanied to Patagonia by a Mr. Parry, appears, as I have been informed, to have remained at the Chupat, on this occasion, for one day only. What took place between him and the Argentine Minister of the Interior on his return to Buenos Ayres I am not able to state, but it does not appear from the prospectus issued subsequently in Wales that any written promise of subsistence to colonists was given by that Minister.

On Mr. L. Jones and his colleague returning to Wales they reported in such glowing terms of the advantages which Welsh settlers would derive by proceeding to Patagonia that it was determined by Mr. Jones, of Bala, to proceed with the scheme he had projected, and, with this view, an emigration company was formed who issued the inclosed notice in the Welsh language.

From the translation of it, you will perceive that it is expressed in rather vague terms: "A hundred acres of land," it says, "will be given to every three emigrants; and also, to the first batch, gifts of horses, cattle, wheat, implements, &c." But it adds, "There is no certainty about the amount of these gifts, it is judged they will be at least 5 horses, 10 cows, 20 sheep, 2 or 3 pecks of wheat, a plough peculiar to the country, and a number of fruit trees to every family," Further on, it says, "It will be planned through the agents to have wheat for bread (as well as to sow) for four months, *i.e.*, until the first crop from the earth," and "There will be abundance of animal food."

The persons who circulated this document are responsible for the results which arose from a too ready acceptance of the above statements by the simple peasants who form the greater proportion of the Welsh emigrants to the Chupat.

The agent or agents who had been entrusted by Mr. Jones, of Bala, with the duty of making the necessary preliminary inquiries regarding the Chupat district, and the arrangements for the departure of the emigrants from England and for their reception in Patagonia, seem to have utterly misled those on whose behalf they acted; and to their reports, if the Emigration Company's arrangements were based upon them, are to be attributed the misfortunes in which the colonists found themselves involved and which, but for the aid subsequently afforded by Señor Rawson, the Argentine Minister of the Interior, might, very probably, have resulted in the death, by starvation, of the greater proportion of the emigrants.

The point regarding which, more than any other, it was obviously necessary on behalf of a colony of agriculturalists, to obtain the most accurate information, was the season for sowing seed in the ground, and which at Patagones, the nearest settlement to the North of the Chupat, is the month of May, or that of June. The arrival of the emigrants at their destination ought to have been so arranged as to give them ample time for preparing the ground they were to cultivate, before the season for sowing; yet it was so planned that they were to leave Liverpool on the 25th of April, 1865, they having then before them a voyage, in a sailing vessel, of upwards of 7,000 miles, and afterwards the task of transporting themselves and their effects over nearly forty miles of an uninhabited district, and then that of settling on their farms and tilling their ground, all before the sowing season.

As it would have been impossible to effect this, it was of comparatively little matter that the vessel that had been engaged to convey them from Liverpool, the "Halton Castle," did not arrive there from South America at the time at which she had been expected, and that they were thus detained at Liverpool for a month, until the 26th of May, 1866, when they sailed in the "Mimosa," for Patagonia.

They arrived at Bahia Nueva, on the 28th of July, having lost five children at sea, and having then provisions sufficient to last them for six weeks, in addition to a supply

which Mr. L. Jones, who had preceded the other emigrants, had brought with him for their use.

From Bahia Nueva, where most of them were detained for a month or six weeks, they having no means of transporting their effects to the Chupat, they had to proceed to that river, with the choice of going about seventy miles, by sea, or nearly forty by land. The male colonists, for the most part proceeded to the Chupat on foot, in small parties, some of them, from their ignorance of the land marks of the district, being obliged to pass four or five nights on the road, in the open air, and being, for the latter portion of that time, almost without food.

Nearly all the women and children of the emigrants were conveyed from Bahia Nueva to the Chupat in a schooner, called the "Mary Ellen," commanded by a Captain Woods, in which they were, during seventeen days, exposed to the fury of one of those storms which seem to be common on that coast.

The women and children, in number forty-four, were, according to the statement made to me, huddled together in the hold of the vessel, and were almost reduced to starvation during the voyage. One woman told me that, although there were provisions on board, she had no food during the whole of that time excepting a small quantity of biscuits and water, and, during three days, some brackish water alone. It is to be remembered, however, that it had been anticipated that the voyage would only last for one or two days. Five children died during it, or from its effects.

It was thus about the beginning of October past, when the colonists arrived at their destination, and it was still later when land was assigned to them individually.

Mr. Lewis Jones procured from Patagones a further supply of provisions, obtained partly by his drawing bills on England, which bills, having been drawn without sanction, were dishonoured.

In the meantime appeals on behalf of the colony had been made to Señor Rawson; but, before any supplies arrived from Buenos Ayres, Mr. L. Jones had called together a meeting of the governing committee of the colony, at which, after having said that he despaired of aid from the Argentine Government, he, who, considering the position he then held in the settlement and his share in bringing others there, might have been expected to be the last man to propose to desert it, had announced his intention of quitting the colony, as he could, he had said, do better elsewhere.

Together, with three or four others, he sailed from the Chupat in the schooner, which formed the only link between the settlers and the rest of the world. But he had not proceeded far when he encountered a vessel carrying stores which he had some time before ordered. On this Mr. L. Jones returned to the Chupat; but the colonists were by no means disposed to place themselves under his direction a second time.

Shortly after this, a sum of 700 dollars a-month (140*l.*) was granted by the Argentine Government to the Settlement for the year 1866, on the representation of Mr. Davies, the present Director of the Colony, who accompanied Mr. Jones to Buenos Ayres. A grant of 4,000 dollars (800*l.*) was also made, for the purpose of being expended in buying horses, cows, and sheep; and 700 dollars were given, to be employed towards purchasing a schooner to run between the Chupat, Bahia Nueva, and Patagones, the remainder of the cost of the vessel being subscribed for by some English residents of Buenos Ayres.

The colonists were thus secured from want, and they thenceforth received at the rate of 8 lbs. of wheat or of flour, for each person, a week, together with 1½ lbs. of meat, and a small allowance of tea and sugar.

But I may observe that the stores left for the use of the colonists by Mr. L. Jones, at the time of his departure from the Chupat would, long ere now, have certainly been exhausted; and that as the first harvest of the colony will not be till January next, the settlers, but for the aid from abroad, must, in the absence of the means of transport, have eben reduced to depend for the means of existence on the game they might kill, or have perished from starvation.

Their escape from such a fate, the Welsh colonists owe to Señor Rawson; and from the commencement of this year, they have been maintained in such a manner as to leave no sufficient grounds for the terms of the appeal which reached you through Mr. Lettsom, and which purported to have been addressed by nineteen of the colonists, to the Governor of the Falkland Islands.

Of the nineteen names affixed to that letter, several appear to have been put down without the consent of the persons to whom they respectively belong. Five are those of young children; and four adult persons who appear on the list told me that they not only had never signed any letter of the kind, but further, that until I questioned them on the subject, they had not heard of its existence. One of these was the father of two of the above-mentioned children.

The number of persons representing themselves as being desirous to quit the colony is thus reduced from nineteen to nine, with three children; one of the petitioners being already in the Falkland Islands.

The document I now inclose, on the other hand, represents 90 souls out of a total population of 130, and it proceeds spontaneously from those who sign it, who appear to be contented with their position.

The last two inclosures refer to the present sanitary condition of the colonists, and to the casualties that have occurred amongst them since they left Wales.

As I shall address to you some further observations relating to the prospect before the colonists, and to their relations with the Patagonians, I need only add here that I was desired to state to you that the settlers are very sensible of the obligations they are under to Señor Rawson, and that they were much touched by the interest displayed on their behalf by yourself and by Vice-Admiral the Honourable C. Elliot, C.B.

I have, &c.

(Signed) R. G. WATSON.

Inclosure 2 in No. 17.

The Welsh Settlement.

(Translation.)

THE ship, A 1, "Halton Castle," Captain Williams, 700 tons, will be sailing from Liverpool on the 25th of April, 1865, with the first batch of emigrants to the settlement. Passage, 12*l.* for those of age; 6*l.* for children under twelve years of age; babies free. Deposit, 1*l.* for those of age; 10*s.* for children; to be sent to the Treasurer, Mr. O. Edwards, 22, Williamson-square, Liverpool; and the balance to be paid when the emigrants come to Liverpool to start.

There are 100 acres of land to be given to every three emigrants, and also, to the first batch, gifts of horses, cattle, wheat, implements, &c. The Committee have also sent agents to erect houses, and to prepare for the landing of the emigrants.

Name.
Calling.
Residence.
Age.
Married or single.
Family :—Names. Age.
Man-servant or maid-servant.
How much money can you spare for the loan?
How much do you pay of your passage?

Particulars.

1. *Land and Gifts.*—There are 100 acres between every three of mature age, two children under age to be counted as one. Example: husband and wife, and a son or daughter upwards of twelve, 100 acres; if there be six more children under twelve, 100 acres more. The same also with the other gifts. (There is no certainty about the amount of these gifts, but it is judged that they will be at least 5 horses, 10 cows, 20 sheep, two or three pecks of wheat, a plough peculiar to the country, and a number of fruit trees to every "family" of three). One may sell his share of the land, and buy as he wishes, where he likes, for about 1*s.* an acre. There have been agents (Mr. L. Jones and Edwin Roberts), sent beforehand to take care that these gifts are in the valley of the Chupat, and to raise a row of huts to be residences for the emigrants until they have time to raise houses on their farms.

2. *The Voyage.*—The passage-money includes good food whilst on the voyage, and that prepared and given out to tables of twelve. Every emigrant is asked to bring with him a bed (for one) blanket, towels, knife and fork, a tea and a table spoon, a plate or two, a tin to raise water, a cup and a saucer rather large, a boiling pot, a quart tin, and one that will hold three gallons. These things can be bought in Liverpool for 15*s.* or 20*s.*, but doubtless they will be already possessed by many families.

3. *Clothing.*—The clothing worn in Wales will do in the settlement, but it would be advisable to have light things for crossing the Equator. It is expected that there will be a merchant taking out abundance of clothing material for sale.

4. *Implements.*—Every emigrant shall take with him 15 cubic feet of implements

free; for all other goods payment must be made at the rate of 50*s*. a-ton. It would be advisable for every male upwards of twelve to take with him a rifle for fowling or hunting, which can be had at the office for 30*s*. Articles besides that would be useful are, spade, pickaxe, barrow, scythe, sickle, hammer, axe, shears, knife, saw, nails, and necessary household things. Anything besides would, of course, be convenient. It is expected that monied emigrants will take out mills, threshing machines, factories, &c.

5. *Food.*—It will be planned through the agents to have wheat for bread (as well as to sow) for four months, *i.e.*, until the first crop from the earth. There will be abundance of animal food; but it would be useful for all to bring with them a little tea, coffee unground, and some other things not absolutely necessary that they may wish to have, sufficient for three or four weeks, until there will be time to re-supply them.

6. *Money.*—English money will do in the settlement, only let it not be in gold or in notes; nothing but silver and copper. The settlement will have its own paper money for sums of 10*s*. and upwards, which will be lent to the settler on the security of his lands, &c. Owing to this, it will not be necessary for the settler to have more than a few shillings after landing.

7. *Rules.*—The settlement will be ruled by a Council of twelve members, four of whom are now members of the home Council, and are emigrating with the first batch; the other eight will be chosen by the emigrants. All minerals that will be discovered to be the property of the discoverer, with a small toll to the settlement. The other general goods, such as trees, guano, &c., to be the property of the Council until all the loans and bonds are discharged. Every emigrant must sign a bond that he will act in harmony with the Council in the settlement.

Inclosure 3 in No. 17.

Declaration of John Ellis and 21 others.

Chupat River, June 30, 1866.

WE, the Undersigned, heads of families of the Welsh Colony on the Chupat, declare that the bad rumours that were spread about us were greatly exaggerated, and that the petition to the Governor of the Falkland Islands was got up by a few discontented men, who forged five of the names, and put down their children's names also, to make up a formidable list.

We also declare that we get sufficient food to keep us in good health, and that we have sown more than sufficient for ourselves, and that we expect a good harvest in January 1867.

(Signed) JOHN ELLIS.

(And 21 other heads of families, representing 90 souls.)

Inclosure 4 in No. 17.

Mr. Bolster to Lieutenant Napier.

Sir, *"Triton," Nuevo Gulf, July* 2, 1866.

IN compliance with your order, I beg to submit the following remarks on the sanitary condition of the Welsh Colony on the Chupat River in Patagonia.

The climate of this part of Patagonia is excellent; a little colder, but drier and more bracing, than that of Buenos Ayres. With the exception of a slight tendency to scurvy, as manifested by tenderness and sponginess of the gums and looseness of the teeth, and the general prevalence of itch, the health of the Colony is all that can be desired.

As these morbid conditions depend on the want of sufficient fresh meat and vegetable diet, and soap for the purposes of cleanliness, I have the honour to recommend that they may be supplied with all the available lime-juice and soap to relieve these urgent necessities.

I have, &c.

(Signed) GEORGE BOLSTER, *Assistant Surgeon.*

Inclosure 5 in No. 17.

List of the Number of Welsh Colonists, and of the Casualties, &c., that have taken place.

Passengers by the "Mimosa"	153	
Children born at sea	2	
Ditto at the colony	5	
Arrivals from Buenos Ayres	3	
Total		163
Deaths on board the "Mimosa"	5	
Ditto at the colony	16	
Departures for Buenos Ayres	6	
Ditto for Patagones	4	
Ditto for Falkland Islands	2	
Total		33
Total number of souls in the colony		130
Adult males in the colony		62
Adult females, ditto		41
Males under 12 years		16
Females, ditto		11
Marriages that have taken place		9

Names and Ages of those that have Died.

Names.	Age.	Remarks.
John Davies	Infant	Died before the "Mimosa" left Liverpool.
James Jenkins	2 years	Died at sea, of cancer.
Catherine J. Thomas	Infant	Ditto, of croup.
Elizabeth Jones	1½ years	Ditto, of convulsions.
John Davies	Infant	Ditto, of water on the brain.
Elizabeth Solomon	Ditto	Ditto, of convulsions.
Margaret Davies	Ditto	Ditto, August 15, 1865, sea-sickness.
May Hughes	Ditto	Ditto, August 18, 1865, effects of voyage.
Jane Jones	3½ years	Ditto, August 29, 1865, whooping cough.
Mary A. Jones	2½ years	Ditto, October 25, 1865, convulsions.
James A. Jones	Infant	Ditto, October 20, 1865, convulsions.
Elizabeth Hughes	3½ years	Ditto, November 10, 1865, consumption.
John Roberts	Infant	Ditto, March 6, 1866, convulsions.
David Williams	36 years	Strayed from New Bay, and was never found, August 1865.
John E. Davies	26 „	Was drowned in the Chupat, October 25, 1865.
James Davies	20 „	Was lost on the plain, January 31, 1866.
Catherine Davies	36 „	Died, August 21, 1865, of fever.
Mary Williams	40 „	Ditto, October 25, 1865, of exhaustion.
Sarah Hughes	42 „	Ditto, November 9, 1865, of fever.
Thomas Williams	45 „	Ditto, December 21, 1865, of consumption.
John Hughes	30 „	Ditto, March 13, 1866, of consumption.

Number of young children who have died	13
Deaths from accidents	3
Ditto from natural causes	5
Total	21

Names of those who have left the Colony.

For Buenos Ayres.—Lewis Jones, and his wife; Doctor Green; Stephen Jones: John Thomas; William Williams.

For Patagones.—William Jenkins; William Richards; John Davies; William Roberts.

For the Falkland Islands.—David John; Jos. J. Jones.

The Chupat Colony, June 29, 1866.

Inclosure 6 in No. 17.

Mr. Watson to Mr. Ford.

Sir, *Buenos Ayres, July* 14, 1866.

IN continuation of my Report, addressed to you from Monte Video, on the subject of the condition of the Welsh Colony in Patagonia, I have the honour to furnish the following details.

The district watered by the Chupat River, which is situated in about 43° of south latitude, appears to have long ago attracted the attention of explorers, as being a locality suitable for an European establishment; and about eleven years since, an Argentine Colony attempted, but without success, to establish itself on the spot which now forms the head-quarters of the Welsh Settlement.

The vale of the Chupat possesses a rich, loamy, soil, well adapted for either agricultural or pastoral purposes; and the district to which this description applies extends over a region which it is estimated could support a Colony of about 20,000 souls.

Five hundred farms, of 100 acres each, have already been measured by a Surveyor sent by the Argentine Government; and it is computed that the unmeasured space will furnish as many more divisions of ground of like extent.

Through this vale the Chupat River flows in a serpentine course, having a general breadth of about 50 or 60 yards, excepting in the summer season, when its bulk increases. At the mouth of the Chupat there is a bar, which is at certain tides almost dry, and over which at other times there is a depth of water ranging up to 12 feet.

On the 27th of December last, a party of eight men belonging to the Colony started to follow the river for some miles towards its source, in the hope of discovering woods—a hope which was not fulfilled. They were absent for a month, during which time they proceeded for about 100 miles, or 40 hours' march, on or near the left bank of the Chupat. After having ascended for the first 50 miles they could no further follow the river's course closely, as it was bounded by porphyritic rocks, the contact with which drew blood from their horses' unshod feet. Beyond this place was a hilly country, in which some herds of guanacos afforded almost the only indication of animal life.

From the furthest spot to which the exploring party reached they could discern beyond them a vast plain, which was bounded by a range of high hills. The Chupat, which river has never been explored to a higher point, is said by the Patagonians to be formed of two streams, the southern of which flows through a lake far inland. From the fact that the river is much swollen in summer, it may be inferred that it takes its rise in the Chilean Andes, and that its increased bulk at that season is caused by the melting of their snows.

The Welsh settlers are now living on their respective farms, which extend over a distance of nearly twelve miles, on either side of the Chupat, measuring from a point three miles from the river's mouth.

As the permanency of the Colony was, for a long time, considered to be doubtful, full advantage was not taken of the leisure afforded by the last hot season for making permanent abodes; and, therefore, the settlers are still housed only in huts constructed in a rough manner. But many of them have already put together the frameworks of new cottages; and all of them propose, so soon as their farm and other work will admit of their doing so, to prepare a supply of sun-dried bricks, to be used in the construction of their cottages.

The article, the want of which they chiefly feel, is serviceable wood; but, as the quantity of provisions now in store is sufficient to supply the colonists for some months to come, Señor Arenales proposed to recommend to his Excellency Señor Rawson that the grant of 700 dollars a-month, made to the Colony for this year by the Argentine Government, should, during three months, be devoted to the purchase, for the use of the settlers, of planking and other timber, as well as of ploughs, horses, oxen, garden seeds, clover, and one or two hand-mills, those being the articles most needed in the colony.

The almost utter absence of trees in the vale of the Chupat is a serious drawback to the eligibility of the site for a permanent settlement. For firewood the colonists have hitherto been dependent on the small bushes in the neighbourhood of their huts; and some wrecks on the coast have supplied the timber used in the construction of their cottages.

If the colony be intended to become established, too early attention cannot be paid to planting large numbers of fast-growing trees, such as the willow or the Australian gum tree.

If plantations of olives were established they might, ere long, prove a source of considerable wealth to the colonists.

In order to enable you the more readily to compare the actual condition of the settlers with the prospects that were held out to them, I shall place side by side some extracts from the circular which was published in Wales, and some taken at hazard from the notes which I made of my visits to the different farms on the settlement.

From Paper published in Wales.

"*Land and Gifts.*—It is judged that they (the gifts) will be at least five horses, ten cows, twenty sheep, two or three pecks of wheat, a plough peculiar to the country, and a number of fruit trees, to every 'family' of three.

"There have been agents sent before to take care that these gifts are in the valley of the Chupat.

"It is expected that there will be a merchant taking out abundance of clothing material for sale.

"It will be planned through the agents to have wheat for bread (as well as to sow) for four months, *i.e.*, until the first crop from the earth.

"There will be abundance of animal food.

"The settlement will be ruled by a council of twelve members.

"All minerals that will be discovered to be the property of the discoverer, with a small toll to the settlement."

Notes taken at the Chupat.

1. Thomas Harris, a farm labourer, has a wife and four children; says he is very comfortable; has two acres under crop; possesses a horse, three cows, and some poultry.

2. Daniel Evans was a collier; has a wife and four children; has two and a-half acres under crop; possesses two horses, two cows, a pig, and fowls.

3. John Jones was a collier; has a wife and child; has four acres under cultivation; possesses two cows and a calf; is quite contented, but suffered much at first.

4. Edwin Roberts arrived at the colony with only a carpet bag; is now married; is very comfortable; and has eight acres under crop; was for some years in Wisconsin, and says that settlers there had much greater hardships to put up with than any the Welshmen have undergone at the Chupat, as the climate is not so good, and they had to "clear" the land before occupying it; says that some settlers have written that they will come to the Chupat from the United States.

5—8. R. M. Williams and son, carpenters; Thomas Jenkins, sawyer, and wife; William Hughes, stonemason, wife and two children; William Rees, surveyor;—came out with the hope of making money by their trades; are most anxious to get a free passage to Buenos Ayres, or elsewhere.

As to a plough peculiar to the country being supplied to each "family" of three persons; there is, in the first place, no plough peculiar to the country, nor any substitute for one, and, in the second, there are only three ploughs in the whole colony.

The agents that were sent before the colonists only preceded them by a few weeks; and such of the "gifts" as they could procure were supplied by entering into debts for which the colonists are liable.

There is no merchant at the Chupat; the colonists will soon be in rags if they be not joined by a fresh band of their countrymen, from whom they expect to receive some clothing, in return for the food which they may be able to supply to them.

The harvest at the Chupat will be looked for in January or February next, so that the settlers will have been for eighteen instead of four months before reaping their first crop.

During some time the settlers received no animal food at all. They now receive 1½ lbs. of dried beef a week.

It is, I believe, in contemplation to send an Argentine Governor to rule over the settlement.

Unless a grant to this effect has been given by the Argentine Government, the general law on this subject would apply to discoveries at the Chupat.

Altogether, the colonists have now about sixty acres under wheat, much of which is above ground; and if it be considered that most of this extent of ground has been tilled by the spade, that the total number of adult males is only sixty two, that much of their time has been occupied in bringing up wood, stores, &c., from the mouth of the river; in building their huts and cottages; in erecting fences; and in making ten miles of a cart-road towards Bahia Nueva, I think it will be admitted that they are far from deserving the imputations of idleness that have been cast upon them.

Their prospects of wealth depend mainly upon the amount of wheat which they can grow. After a residence of two years, each three persons will obtain the freehold titles to 100 acres of land; and there will be nothing to prevent individuals from purchasing more land, at the cheap rate of 100 acres for 40*l.* sterling.

It is calculated that the produce of thirty acres, at the rate of 1,680 lbs. per acre, will be sufficient to support the present body of colonists throughout next year; and that they will thus have as much more to dispose of, which, by selling their wheat, as they expect to be able to do, at the rate of 150 dollars (1*l.* 5s.) to 200 lbs., would give them the means of purchasing some of the articles of which they stand most in need, or of paying a portion of the interest of the very large debt with which, though by no fault of theirs, they are unfortunately burdened.

But, whilst growing wheat must be the main object of these colonists, it would be rash on their part to trust too exclusively to their wheat harvest, which might be, in a great measure, destroyed in a single night by one of the Pampero winds which occasionally sweep over these plains.

The colony occupies so isolated a position (being 150 miles distant from any other fixed establishment) that it should always contain within itself the means of providing against sudden emergencies.

The sheep that were brought to the Chupat have all deserted it, as there were no persons who could be spared to look after them; and I would not recommend that other sheep should be sent, in any considerable numbers, to Patagonia, since, in that branch of farming, the Welsh colonists could not be expected to compete successfully with the settlers established with so many advantages in the Province of Buenos Ayres and on the banks of the Paraná, and on those of the Uruguay.

But there are other sources of wealth that may be open to the Welsh colonists. They possess already fifty cows and thirty calves, and their dairy produce would find a ready market here, were steam communication established between the River Plate and the settlements on the southern coast—a project for the carrying out of which preparations are now being made.

From inspecting some specimens of minerals from the Chupat, persons competent to give an opinion have told me that they have little doubt that coal will be found in its neighbourhood; indeed, one of the settlers said that he had found a lump of coal there, although he had since lost the specimen. The same locality also supplies gypsum (which only requires the application of heat to become plaster of Paris), talc, excellent clay, stone of many varieties, and salt in abundance.

The colonists may, when they have more leisure, employ a portion of their time profitably in seal fishing.

Whilst the "Triton" was at Bahia Nueva the sailors dragged the creek in which we were at anchor with such results that the officers of the ship observed that they had nowhere seen such abundance of fish. The shore was covered with a great variety of shells, including those of the cockle and of the muscle. Having salt in abundance at their disposal, the colonists could export fish, which would find a market almost anywhere in the interior of this country; and I need not add that salt itself is in constant demand here.

Another source of wealth open to the industry of settlers on the Chupat, were they sufficiently numerous to admit of its being taken advantage of, is in procuring, and preserving the skins of, some of the animals or birds with which the country abounds. Those peculiar to this region are the guanaco (the wild llama), the ostrich, the agouti (the Patagonian hare), and the puma, or South American lion. The skins of all these are of value; and, in addition to them, there are other animals, such as the silver fox and the skunk, the skins of which are also prized.

That game is abundant in the neighbourhood of the Chupat may be inferred from the circumstance that one settler, who had the good fortune to possess a swift dog, told me that, since he had been in Patagonia, he had scarcely passed a single day without having game on his table.

I may observe, however, that the wild cattle mentioned by Fitzroy as having been seen grazing on the plains, and which must have been let loose by the Spaniards, who

attempted to colonize Patagonia in the latter part of last century, are no longer to be met with.

The inclosed lettter, written to the chief of the Welsh Colony, at the dictation of a Patagonian Cacique, by a Swiss naturalist, who was exploring the Rio Negro, will give you some interesting information regarding the tribes of Patagonia, who appear to be divided into three classes—1, the Chilian Indians, who are of ordinary stature, and who dwell in the country to the north of the Rio Negro; 2, the Pampa Indians, who are taller men, and who inhabit the region between the Rivers Negro and Chupat; and, 3, the Tchuelebes, who are of still higher stature, and who dwell to the south of the latter river. The rule of their Cacique extends to the Straits of Magellan.

You will perceive from the letter that the Cacique offers friendship to the Welsh settlers, and proposes to enter into trading relations with them. To this communication Mr. Davies replied, that so soon as the colonists should become settled they would be happy to trade with the Indians.

The Pampa Patagonians (some of whom are at present encamped close to the Welsh settlement, and one family of which tribe lives in it) seem to be a peaceful race. The males pass a great portion of their time in hunting the guanaco, an animal which supplies most of the wants of these Indians. The guanaco is hunted on horseback, and, when its legs are entangled by the bolas flung after it, it is easily caught by hounds. Guanaco skins, sewn together by the veins of the animal, form the chief part of the Indians' attire; their tents are of guanaco skins stretched on poles: the flesh of the guanaco forms almost their only food; and they are at last laid in the earth wrapped in guanaco mantles.

These Indians do not sow grain of any kind, and the only domestic animals which they seem to possess are horses and dogs.

But notwithstanding the seemingly good disposition of the Pampa Patagonians towards the Welsh settlers, it would be rash on the part of the colonists to trust to them too blindly; since, on more than one occasion the Spanish Colony at Patagonia has been plundered by the Indians. It is to be remembered, too, that only a very few years ago, a tribe of Patagonians allowed Commander Alan Gardner, R.N., and his companions to starve to death, and murdered the crew of the "Ocean Queen."

The colonists necessarily live so far apart from each other that an enemy surprising them suddenly could easily cut them off in detail, but they have taken the precaution against an open enemy, of establishing a volunteer corps of thirty men; and it is proposed to apply to this Government to enrol this body as Argentine Militiamen, in order to secure the advantage of obtaining ammunition free of cost.

The only precautionary measure which I can suggest in addition is, that the colonists should be furnished with a few small rafts or boats, in which, as their houses lie along the Chupat, they might, in case of attack, escape across the river. The Patagonians have no means whatever of crossing the stream.

I have endeavoured to place before you fairly all that is to be said for and against the continuance of the emigration movement as regards Patagonia. I leave it to your better judgment to weigh the arguments on either side, and to give an opinion according to the decision at which you may arrive.

I have, &c.
(Signed) R. G. WATSON.

P.S.—I beg to call your attention to the fact that, although in a letter from the Government Emigration Office, Liverpool, dated May 27, 1865, which forms Inclosure No. 3 in Earl Russell's despatch to Mr. Thornton of August 10, 1865, it is stated that the emigrants had "taken out a surgeon under special agreement for twelve months," yet the only surgeon who accompanied the Welsh settlers, Dr. Green, left the colony in November last, four months after his arrival.

R. G. W.

Inclosure 7 in No. 17.

Letter from a Patagonian Cacique.

(Translation.)

To Mr. Jones, Superintendent of the Colony of Chupat.

Very distinguished Sir, *Tschetschgoo, December* 8, 1865.

WITHOUT having the pleasure of knowing you personally, I know as a fact that you are peopling the Chupat with a people from the other side of the sea. You, doubtless, do not know that in the country south of Buenos Ayres there exists three distinct sets of Indians.

To the north of the Rio Negro (Patagones) and on the borders of the high mountains, which the Christians call the Cordillera, lives a nation of Indians denominated "Chilenos." These Indians are of small stature, and they speak the language called Chilona.

Between the Rio Negro and the Rio Chupat lives another nation, who are of taller stature than the Chilenos, and who dress themselves in guanaco mantles, and speak a different language. This is the nation called "Pampa," and speaking Pampa. I and my people belong to it.

To the south of the Chupat lives another nation called "Tchuelcha," a people still taller than we are, and who speak a distinct language.

Now, I say that the plains between the Chupat and the Rio Negro are ours, and that we never sold them. Our fathers sold the plains of Bahia Blanca and Patagones, but nothing more.

I am the Cacique of a tribe of Pampas Indians, to whom belong the plains of the Chupat. We hunt between Patagones and the Chupat, near the coast of the sea, in winter, and in the summer in the interior, where at that season the sun sets.

I have a Treaty of Peace with Patagones, but that does not touch on selling lands. I know very well that you have negotiated with the Government to colonize the Chupat; but you ought also to negotiate with us, who are the owners of these lands.

But, never mind, friend, I and my people are not accustomed to rob like the Chileno Indians. Our plains have plenty of guanacos and plenty of ostriches. We are never in want of food. Notwithstanding, if plenty of people come, we shall have to go to the plains, frightening the animals which are our property, that were given to us by our God, the God of the Indians, so that we might chase them for food.

I was desirous of going to Buenos Ayres to present to the Government my claims (to the Chupat territory), but I know that they are fighting the people of Paraguay, and that the people have gone to the war. I know also that bad diseases are raging in Buenos Ayres which are infectious, and which kill us. In this way have died friends of mine last winter, who went to prefer claims for lands likewise. This is the reason why I did not go.

I remained, and had arranged with the Commandante, who is my very good friend, to go with him overland to the Chupat, to visit you and your people; but the Commandante Murga has gone thence on board of a vessel. I shall not now go to see you before winter, and ere I come I hope to receive a letter from you making me know what your answer shall be. Afterwards I shall go and put up my tents ("toldos") in front of your village, in order that I may become acquainted with you, and you with me and with my people; you see that I have a good heart and a good will.

Be not afraid of us my friend, I and my people are contented to see you colonize on the Chupat, for we shall have a nearer place to go to in order to trade, without the necessity of going to Patagonia, where they steal our horses and where the "pulperos" (tavern keepers) rob and cheat us. If you treat us well, as the vessels (on the coast) treat the Tchuelches, and if your traders do not cheat us, we shall always negotiate with you.

We sell ostrich feathers of those ostriches called "petisos," for in the plains are no others, and the feathers of the ostriches called "petisos" are finer than those of the large ostrich. We also sell guanaco skins, and, if you wish, we shall bring likewise guanaco wool; but our work is to make guanaco mantles ("quillangos"). These are made by our women. We use the guanaco mantles as our dresses, but the traders buy them in order to sell them afterwards to rich persons who put them as carpets. Enquire as to the prices of those articles in order that you may pay us properly when we come in the winter.

Tell me in your letter what kind of money you are using at the Chupat, whether paper or silver money. Try to get an interpreter. We all know a little Spanish, but English we do not understand. Also do not forget to have liquor, yerba for maté (tea), sugar, flour, bread, biscuits, tobacco, ponchos (cloaks), handkerchiefs, cloth or blankets, fine ones for our women, for they have no other dresses except blankets. See to it that those things which we buy and want are good, but, moreover, the yerba (Paraguayan tea) ought to be good.

Now I say that if we had not been contented to trade with good people like you we should not have sold the land. You ought, for my portion of the land, to negotiate with the Government. See you what they can pay me for it. Everywhere they sell and buy, but they do not colonize without buying. For example, not very far from where I write, about two or three days' journey, not more, I am told, has the Cacique Paellaron sold a large tract of land to some Christians of Chile. It is a piece of land which was formerly colonized by Christians, as the old people well know. Now people from Chile are settling again there. This is the right way to negotiate.

Mr. Aguirre has read a letter of the Government to me in which I am told to leave

you to increase in numbers and not to do anything to you, and also to speak to the other Caciques that they should not molest you. I promised to do all in my power for you, and in case you want to bring cattle, horses or mares, we shall let them pass without molestation; and if you should want labourers and herds to show and lead the way, in order to bring cattle, you can engage my people, who will faithfully serve you.

I send this letter by my grandson, who is Francisco Hernandez, and I have charged him to speak and settle matters with you. Give him your answer, and if you take an interest in us and mean to enter into friendly intercourse with us, make us some presents, and send them to us by the same Hernandez, whom on his way back to Rio Negro we shall meet. I shall tell you frankly what we like best is some good liquor, a little flour, yerba, sugar, and tobacco, and, if you can get it, a saddle which is called English saddle; those saddles are very good, for they are very light, and in galloping do not hurt the horses backs. I have seen some at Patagones, but they are very expensive there.

I wish you much happiness and salute you with my best estimation. All my people who are collected here to see this letter written, send you many salutations.

From the Cacique Antonio.

Inclosure 8 in No. 17.

Mr. Watson to Mr. Ford.

Sir, *Buenos Ayres, July* 14, 1866.

I BEG leave to report to you that Lieutenant Napier, commanding Her Majesty's ship "Triton," who did everything in his power to carry into effect the orders of Vice-Admiral Elliot that he should render what assistance he could to the Welsh Colonists on the Chupat, was able to give them for the time the means of communicating with Patagones, by repairing for them their schooner, which was in an unseaworthy condition.

Assistant Surgeon Bolster, of the "Triton," who visited the Colony, was able to afford relief to several suffering Colonists, there being no doctor at the Chupat Settlement.

I may add that the sailors of the "Triton" subscribed amongst themselves for the purpose of presenting to the Colonists a bale of 1,000 yards of flannel.

I have, &c.

(Signed) R. G. WATSON.

Inclosure 9 in No. 17.

Project of Law presented to the Argentine Congress relative to Settlement of Welsh Colony on the Chupat.

(Translation.)

THE Minister of the Interior of the Argentine Republic, Dr. Don Guillermo Rawson, in the name of its Government on the one part, and, on the other, the Commission recommended by the Welsh Emigration Society, composed of the following gentlemen, G. H. Whalley, Esq., M.P., David Williams, Esq., High Sheriff of the county of Carnarvon, Robert Jones, Esq., Merchant, M. D. Jones, Esq., D.D., and Captain J. L. D. Jones Parry, of Madryn Castle, in Wales, have agreed to conclude the following contract:—

1. The Welsh Emigration Society obliges itself to send during the term of ten years from 300 to 500 emigrant families each year, and to establish them in the territory of Patagonia, in the Argentine Republic, to the south of the Rio Negro.

2. The Government of the Argentine Republic cedes to each 200 families, in fee simple, a town site of two square leagues of land; the half of said land shall be destined to the object of establishing, and paying for, the buildings and public works, such as schools, churches, courts of justice houses of correction, and other appliances of a public character; the other half shall be distributed in building lots either by gratuitous cession to the first settlers or to others afterwards by sale, to obtain funds necessary for the support of the Colony.

3. In addition to the twenty-five squares of land, which according to law are ceded to each immigrant family, the national Government will concede an area of five square leagues of land, for each 200 families, adjoining the municipal boundaries, to be divided equally among them.

4. In the event of more lands being required by the settlers, they will be allowed to rent them or purchase them from the Government on the most moderate terms in agreement with the laws of the nation.

5. Whatever mine of metals, coal, or other mineral may be discovered, shall be the discoverer, without any further tax than that of the accustomed sovereignty, in accord with the laws of the subject.

6. The general direction of the affairs, and of the Government, of the Colony, shall be confided to a Commissioner or Governor named by the National Government in the manner and for the time which the laws, which shall be framed for the best government of the territories, may establish.

7. The Municipal Administration shall belong exclusively to the Colonist, in agreement with their own regulations.

8. The Colonists shall be free from every military contribution, either upon their persons or their property, for the term of ten years, but they compromise themselves to defend themselves unaided against the Indians.

9. When the population of the Colony shall have reached to the number of 20,000 inhabitants it will enter, as a new province, to form part of the nation, and as such all privileges and competent rights shall be accorded it. At the same time the limits of that province will be definitely settled.

10. The National Government, in view of the remoteness and uninhabited character of those parts, will provide the first company of immigrants with 4 pieces of artillery, 50 fanegas* of Indian corn, 50 fanegas of wheat, 50 tons of wood for building, 200 tame horses (including 50 milch cows), and 3,000 sheep.

11. The Society will give the National Government timely notice of the probable date at which the first party of Colonists will reach the port of Bahia Nueva; that the articles cattle, &c., mentioned in the preceding Article, may be sent there or to any other point designated in sufficient time to meet them on their arrival.

12. The Colony shall be subject to the legislation which Congress establishes for the government of national territories.

13. The present Contract shall be submitted to Congress for its approval.

(Signed) G. RAWSON.
J. LOVE D. JONES PARRY.
LOVE JONES.

Inclosure 10 in No. 17.

Law.

(Translation.) *Buenos Ayres October* 11, 1862.

THE Senate and Chamber of Deputies of the Argentine nation, &c.

Article I. Let the Executive be authorized to celebrate contracts for foreign immigration, giving national lands.

Art. II. The maximum of lands given shall be twenty-five square squares (about 100 acres) for each family, to whom shall be given the respective title deeds, after having complied with the conditions of settlement for two years, which the Executive Power shall designate.

Art. III. Let it be communicated to the Executive Power.

Given in the Chamber of Sessions of the Argentine Congress in Buenos Ayres, on the 8th of October, 1862.

(Signed) VALENTIN ALSINA.
NICANOR ALBARELLOS.

Forasmuch, let it be fulfilled, communicated, published and inserted in the "National Register."

(Signed) MITRE.

(Signed) EDUARDO COSTO.

No. 18.

Mr. Ford to the Earl of Clarendon.—(*Received August* 31.)

My Lord, *Buenos Ayres, July* 20, 1866.

IN the report I had the honour of addressing your Lordship, inclosed in my despatch of April 22, relative to the Welsh emigrants, I stated, that on the 27th of April, 1865, a set of fine able-bodied men were on the point of sailing in the "Halton Castle," and that owing to that vessel not arriving in Liverpool, the men had lost patience

* A fanega is nearly an English bushel, in weight about 110 lbs.

and returned to their homes, and that, subsequently, a new batch of emigrants were brought together, and sailed in the "Mimosa."

I now beg leave to modify that statement, for it would appear that the emigrants who were to have sailed in the "Halton Castle" were, with few exceptions, the same as those who actually started a month later in the "Mimosa."

Señor Rawson, the Argentine Minister of the Interior had been incorrectly informed on this point, and it is to be regretted that the Argentine Consul-General at Liverpool, who had taken so lively an interest in the Welsh colonization scheme, and reported most faithfully about it to the Government of this country, should have died about the time.

It would further appear, that although one of the colonists disposed of his gun, there are at least thirty guns remaining.

I have, &c.
(Signed) FRANCIS CLARE FORD.

No. 19.

Lord Stanley to Mr. Ford.

Sir, *Foreign Office, September* 6, 1866.

I HAVE read with much interest Mr. Watson's report on the condition of the Welsh Colony on the Chupat River, which was inclosed in your despatch of the 28th of July last, and I have to instruct you to convey to that gentleman my approval of the able manner in which he carried out the duty assigned to him of ascertaining by personal inspection and inquiry, the state of that colony.

I have also to instruct you to convey to the Argentine Government the thanks of Her Majesty's Government for their humane and liberal conduct towards the colonists.

I am, &c.
(Signed) STANLEY.

No. 20.

Mr. Murray to Sir F. Rogers.

(Extract.) *Foreign Office, September* 8, 1866.

I AM directed by Lord Stanley to transmit to you, for the information of Lord Carnarvon, a despatch from Her Majesty's Chargé d'Affaires at Buenos Ayres,* inclosing a report, the result of personal inspection and inquiry, drawn up by Mr. Watson, on the state of the Welsh Colony on the River Chupat, together with a despatch addressed by him to Mr. Ford, reporting the assistance rendered to the colonists by the officers and men of Her Majesty's ship "Triton," and other documents relating to the same subject.

Mr. Ford has been instructed to convey to the Argentine Government the thanks of Her Majesty's Government for their liberal conduct towards the colonists.

No. 21.

Sir F. Rogers to Mr. Murray.—(Received October 18.)

Sir, *Downing Street, October* 18, 1866.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter with several inclosures of the 8th ultimo relative to a settlement of Welsh emigrants on the Chupat River in Patagonia.

The Reports of Mr. Watson, which accompanied your letter, give a very unpromising view of the future prospects of the settlers.

The spot it appears is isolated and far removed from any market, those at Buenos Ayres and Monte Video being the nearest. It is 150 miles distant from any other fixed establishment, so that if these settlers should lose the schooners which they at present possess, their only means of communication with the civilized world must be by a voyage by sea of 200 miles in an open boat, or a ride of between 200 and 300 miles across the country. There is a total absence of timber for building, and a great scarcity of fuel; the settlers have to rely on driftwood from wrecks for the former, and on brushwood for the

* No. 17.

latter purpose. The brushwood is obtained at a distance of two or three miles, and on the most favourable computation the supply will be exhausted in two or three years. Added to these serious difficulties the settlers are exposed to the danger of attack from the neighbouring tribes of Indians whenever their cupidity may be excited by the possessions of the former.

There is at present no steam communication with Patagonia, the settlers are without government or laws; the only good soil in the Chupat River is said to be contained in a space of about five miles by fifty miles; and lastly, it appears that about eleven years ago an attempt was made by an Argentine Colony to establish itself in the very same locality, which did not succeed.

Under these circumstances, although it should be distinctly understood that no responsibility can be held to attach to Her Majesty's Government in the matter, Lord Carnarvon would suggest, for the consideration of Lord Stanley, whether it might not be advisable to instruct Her Majesty's Minister at Buenos Ayres to keep himself informed and Her Majesty's Government from time to time of the state of the settlement.

I am, &c.
(Signed) FREDERIC ROGERS.

No. 22.

Mr. Hammond to Sir F. Rogers.

Sir, *Foreign Office, October* 20, 1866.

I AM directed by Lord Stanley to acknowledge the receipt of your letter of the 18th instant relative to the state of the Welsh Colony on the Chupat River in Patagonia, and I am to request that you will, in reply, inform the Earl of Carnarvon that instructions will be sent to Her Majesty's Mission at Buenos Ayres to keep Her Majesty's Government informed, as far as possible, of the condition of these emigrants.

I am, &c.
(Signed) E. HAMMOND.

No. 23.

Lord Stanley to Mr. Ford.

Sir, *Foreign Office, October* 20, 1866.

WITH reference to your despatch of the 20th of July, I have to instruct you to keep yourself informed, as far as you are able, respecting the state of the Welsh Colony on the Chupat River in Patagonia, and to report to Her Majesty's Government on the subject from time to time.

I am, &c.
(Signed) STANLEY.

No. 24.

Mr. Mathew to Lord Stanley.—(*Received February* 3, 1867.)

My Lord, *Buenos Ayres, December* 26, 1866.

IN reply to your Lordship's despatch of the 20th of October addressed to Mr. Ford, I am very happy to say that after a prolonged time which led me to fear that the Welsh Colony on the Chupat River might be in great straits, news has recently arrived which wholly alleviates any alarm on their account.

Mr. Watson (among others) has received a letter from one of the colonists, by which it would appear that the condition of the settlement was, at the end of November, as satisfactory as, under the circumstances, could have been anticipated.

Three families had quitted the colony for Patagones, but, on the other hand, it was believed that a number of persons from there and elsewhere intended to join the Welsh community at the Chupat River.

I have, &c.
(Signed) GEORGE BUCKLEY MATHEW.

No. 25.

Mr. Mathew to Lord Stanley.—(*Received February* 19.)

My Lord, *Buenos Ayres, January* 10, 1867.

SINCE I had the honour of transmitting to your Lordship, by my despatch of the 26th ultimo, some account of the Welsh colonists, I have had cause to believe that their ulterior prospect is not of a favourable nature ; and I think it right to communicate to your Lordship that I have been informed that this Government entertain the idea of removing them from their present locality, and of offering them the choice of lands near the settlement of Patagones, or in the Province of Santa Fé.

The reported failure of their harvest and the unwillingness of the Government to make any further pecuniary advances appear to have led to this decision.

I have, &c.

(Signed) GEORGE BUCKLEY MATHEW.

No. 26.

Mr. Mathew to Lord Stanley.—(*Received April* 19.)

My Lord, *Buenos Ayres, March* 10, 1867.

I FIND that the statement relative to the Welsh colony in my despatch of the 10th January was at least premature, and that the Government have, on reconsideration, suspended their decision for its withdrawal from the Chupat.

Dr. Rawson informs me that he proposes to send a Commissioner to investigate the conflicting statements of Messrs. Jones and Evans, the late and present heads of the colony, as to the wishes of the people and the capabilities of the soil, and that meanwhile a supply of provisions will be immediately dispatched. I suspect that the Government may have been led to this result no less by the statements of Mr. Jones, now a resident in Buenos Ayres, than by the recent accounts of a large further emigration from North Wales ; but, after conversing with several of the colonists, I am forced to the conclusion that the climate or the soil is unsuited to the production of crops affording support to a population, and I regret that the proposals of Governor Oroño for the transfer of the colony to more fertile lands in Santa Fé have not been accepted.

At the request of the colonists, I have had a survey made of their schooner, under the directions of Lieutenant Hill, of Her Majesty's ship "Gleaner," who reports her unseaworthy.

I have, &c.

(Signed) GEORGE BUCKLEY MATHEW.

No. 27.

Mr. Mathew to Lord Stanley.—(*Received July* 21.)

(Extract.) *Buenos Ayres, June* 12, 1867.

THERE is but little in the President's message calling for especial notice on my part, excepting perhaps the intimation that the Government are prepared to continue to the Welsh colonists on the Chupat the subsidy they had hitherto received, for one year longer, during which period the Government will come to a decision with regard to their future.

PATAGONIA.

Correspondence respecting the Establishment of a Welsh Colony on the River Chupat, in Patagonia.

Presented to both Houses of Parliament by Command of Her Majesty. 1867.

[*Price* 5½*d.*]

LONDON:
PRINTED BY HARRISON AND SONS

SIERRA LEONE, &c.

RETURN to an Address of the Honourable The House of Commons, dated 8 March 1867;—*for*,

"COPIES of the ORDINANCES, 1866, relative to the ADMINISTRATION of JUSTICE at *Sierra Leone* and in the other West African Settlements:"

"Of the PETITIONS of the People of *Sierra Leone* against the Abolition of TRIAL by JURY:"

"And, of any CORRESPONDENCE on the subject between Her Majesty's Government and the Governor or the Chief Justice."

Colonial Office, April 1867.

C. B. ADDERLEY.

(*Mr. Buxton.*)

Ordered, by The House of Commons, *to be Printed* 5 *April* 1867.

SCHEDULE.

DESPATCHES FROM THE GOVERNOR.

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DESPATCHES FROM THE SECRETARY OF STATE.

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2	23 Feb. 1867 (No. 104.)	Confirming the Ordinances enclosed in Governor's Despatches, Nos. 88, 25, 39, and 59, of November and December 1866, to make provision for the Administration of Justice in Her Majesty's West African Settlements.	30
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COPIES of the ORDINANCES, 1866, relative to the ADMINISTRATION of JUSTICE at *Sierra Leone* and in the other West African Settlements:—Of the PETITIONS of the People of *Sierra Leone* against the Abolition of TRIAL by JURY:—And, of any CORRESPONDENCE on the subject between Her Majesty's Government and the Governor or the Chief Justice.

Despatches from the Governor.

— No. 1. —

(No. 39.)

No. 1.

COPY of a DESPATCH from Governor *Blackall* to the Right Honourable *Edward Cardwell*, M.P.

Governor Blackall to the Right Hon. E. Cardwell, M.P. 19 May 1866.

Government House, Sierra Leone, 19 May 1866.
(Received, 9 June 1866.)
(Answered, No. 60, 9 October 1866, page 29.)

Sir,

I HAVE the honour to enclose to you two separate draughts of Ordinances proposed respectively by Chief Justice Carr, and by the Queen's Advocate, Mr. Huggins, to carry out your suggestions with regard to the new judicial arrangements on this Coast.

Enclosure.

2. There appear to me to be very valuable suggestions in both these propositions; and the Chief Justice appears to approve of the suggestion, not contained in his own drafted Ordinance, of making the Supreme Court consist of three judges, two resident in Sierra Leone, and one at Lagos, and thus constituting an Appeal Court.

3. Colonel Conran's Despatch regarding the Supreme Court at Cape Coast Castle, will show the impolicy of attempting trial by jury in civil cases in these confined communities, and, if they are continued, there should be given facilities for a change of venue.

4. It will be an advantage, I think, that Chief Justice Carr will be in the neighbourhood of London whilst these Ordinances are under consideration; his long experience on the Coast, and his cool and dispassionate judgment will be found most useful in explaining the details.

I have, &c.
(signed) *Sam. W. Blackall*,
Governor in Chief.

Enclosure in No. 1.

Sir,

Freetown, 16 April 1866.

Encl. in No. 1.

I HAVE the honour to transmit herewith for consideration three Ordinances in draft, which I have prepared in compliance with your Excellency's request, and which I trust will be found to carry out Mr. Cardwell's views, as expresed in his Despatch of the 23rd of February last, making allowance for local circumstances and the distances between the different Settlements on this coast.

No. 1 is an Ordinance to be passed by the Legislative Councils of the Settlements on the Gambia, the Gold Coast, and of Lagos. It provides for the establishment of a Court of Civil and Criminal Justice at each of those Settlements, to be held by and before the resident

magistrate of the Settlement. To this court jurisdiction is given in all civil and criminal causes, subject to an appeal to the Supreme Court of Sierra Leone. And provision is made that one of the judges of the Supreme Court shall visit each Settlement twice every year, to hear and determine all appeals from the decisions of the resident magistrates.

By Ordinance, No. 2, the constitution of the Supreme Court, as established by an Ordinance of the Governor and Council, passed on the 15th December 1858, is altered, and provision made for the appointment of an assistant judge to the court. The jurisdiction clauses of that Ordinance are then re-enacted, with certain modifications, and the like powers given to the assistant judge as possessed by the Chief Justice of the court.

Ordinance No. 3 establishes a court of summary jurisdiction for this Settlement, and provides that the assistant judge of the Supreme Court shall be the judge of that court. It gives this court jurisdiction in all personal actions where the debt, damage, or demand claimed is not more than 100 *l.*, with certain exceptions; and it provides that the judge of the court shall be sole Commissioner of the Land Commission Court, and also Commissioner of Escheat within this Settlement and its dependencies.

It will be observed, that no causes are excepted from the jurisdiction of the courts of civil and criminal justice established by the first Ordinance. This course has been adopted from a consideration of the uncertainty of life, and the difficulty of keeping witnesses together for any length of time on this coast. Moreover, if important causes were withdrawn from the jurisdiction of those courts, the inhabitants of the other Settlements would probably complain that their interests suffered while awaiting the arrival of a judge from Sierra Leone. And as the resident magistrates will no doubt be professional men, I think the powers given by the Ordinance may be safely entrusted to them, especially as an appeal is given in every case, and provision made that the evidence given in court shall be taken down in writing by the officer of the court, and transmitted to the Court of Appeal when necessary.

It will be seen that by these Ordinances trial by jury is only allowed in criminal cases, and not in civil suits. A few remarks may be necessary in explanation. In criminal cases the question submitted to the jury upon the evidence is a very simple one, viz., "Whether the prisoner be guilty or not guilty;" and in well-conducted prosecutions the whole of the evidence bears upon that point. Further qualified jurors are usually persons of some property, and they have an interest in the repression of crime, and in giving security to life and property by their verdicts. In civil suits the case is somewhat different. These suits are usually actions arising out of commercial transactions and complicated accounts. The issues raised by the pleadings are oftentimes many and various. The litigating parties, if not on friendly terms with the jurors, are generally well known to them. And the opposing attornies contending for success and for their costs not infrequently bewilder and distract them, by the mass of matter they adduce in evidence in the hope of influencing them in their verdict. Add to all this, the advocacy of these attornies, without any public opinion to check them in their course, and the jealousies existing between the different races and tribes inhabiting these Settlements, and it is not to be wondered at that verdicts in civil suits on this coast should have given less satisfaction than verdicts in criminal cases. With the right of appeal given by these Ordinances, and the provisions before referred to for taking down the evidence by the officer of the court, I think the decision of civil suits may be safely left to the resident magistrates at the other Settlements, and to the judges of the Supreme Court at Sierra Leone, without a jury.

In conclusion, I beg to add, that your Excellency is aware that I have lately suffered from a severe attack of fever, which rendered me very weak, and from the effects of which I am now but slowly recovering. This circumstance is mentioned to account for any inaccuracy or incompleteness that may be found in these Ordinances. But as they are only submitted in draft for consideration, all necessary amendments may be made before they are passed into law.

I have, &c.
(signed) *John Carr*,
Chief Justice.

His Excellency Governor Blackall,
&c. &c. &c.

— No. 2. —

No. 2.

(No. 88.)

Governor Blackall to the Right Hon. the Earl of Carnarvon, 21 Nov. 1866.

COPY of a DESPATCH from Governor *Blackall* to the Right Honourable the Earl of *Carnarvon*.

Government House, Sierra Leone,
21 November 1866.
(Received, 11 December 1866.)
(Answered, No. 104, 23 January 1867, page 30.)

My Lord,

1. I HAVE the honour to enclose for approval three copies, signed and sealed; one for submission to Her Majesty; of two Ordinances, forwarded in your Lordship's Despatch (No. 60)* of 9th October last, which have been passed, entitled

* Page 28.

entitled respectively, "An Ordinance to make further provisions for the Administration of Justice within the Settlement of Sierra Leone and its dependencies," and "An Ordinance for establishing a Court of Summary Jurisdiction within the Settlement of Sierra Leone and its Dependencies," with a Report from the Queen's Advocate thereon.*

2. I have suspended the operation of these Ordinances until they had been fully approved, and an appointment of a Puisne Judge made by the Queen, because it was pointed out to me that the immediate proclamation would abolish the Court of Requests, whilst no judge would have been appointed to sit in the newly-created court; at the same time it is of importance that these Ordinances should come into operation at the commencement of the ensuing year, as no provision is made for the Land Commission Court or assistant Police Magistrate, these courts being superseded by the new arrangements.

3. Should your Lordship at once nominate a judge, I could, in his absence, appoint an Acting Puisne Judge; but the Queen's Advocate advises me that I could not appoint temporarily to an office not already established under the Sign Manual.

I have &c.
(signed) *Sam. W. Blackall,*
Governor in Chief.

Enclosure 1, in No. 2.

ORDINANCES for better ADMINISTRATION of JUSTICE in WEST AFRICAN SETTLEMENTS confirmed by Despatch, No. 104, 23rd February 1867. Encl. 1, in No. 3.

No. 4—1866.

(L. S.) *Sam. W. Blackall,* Governor.

SIERRA LEONE.

In the Thirtieth Year of the Reign of Her Majesty Queen VICTORIA.

Samuel Wensley Blackall, Governor in Chief.
16th November 1866.

At a Legislative Council held on the 16th day of November in the year of our Lord 1866.

An ORDINANCE to make further provisions for the Administration of Justice within the Settlement of Sierra Leone and its Dependencies. Title.

WHEREAS Her Most Gracious Majesty has been pleased to issue a Commission under the Great Seal, bearing date the 19th day of February 1866, uniting the Colony of Sierra Leone together with the forts and settlements on the West Coast of Africa under one Governor in Chief, and providing for the government thereof; and whereas it is expedient to make further provisions for the administration of justice within the said Colony or Settlement of Sierra Leone: Preamble.

Be it therefore enacted by the Governor in Chief and Legislative Council of the said Settlements of Sierra Leone, as follows: Enacts.

I. That the Supreme Court of the Colony of Sierra Leone, established by and under an Ordinance of the Governor and Council, bearing date the 15th day of December 1858, shall, from and after the passing of this Ordinance, be styled and called "The Supreme Court of the Settlement of Sierra Leone." Style of the Supreme Court.

II. That the said Supreme Court shall be a Court of Record; and shall consist of the Chief Justice of Sierra Leone for the time being, or the person for the time being lawfully acting in that capacity, and one Assistant Judge nominated and appointed by Her Majesty the Queen. The Court shall consist of the Chief Justice and one Assistant Judge to be appointed.

III. That

* These Ordinances were allowed and confirmed by Lord Carnarvon's Despatch (No. 104) of 23 February 1867.

The Court shall be holden before one or more of the Judges in the months of January, March, May, September, and November.

III. That the said Supreme Court shall be holden at Freetown, in the said Settlement, by and before one or more of the judges of the said court on the second Monday of the months of January, March, and May, and on the third Monday of the months of September and November in each year, for the hearing, trial, and determination of all matters, causes, and proceedings in the said Supreme Court, and shall continue to sit so long as there shall be any business before it, civil or criminal; and that in all cases where there shall be a difference of opinion between the said judges, the Chief Justice shall have a double or casting vote: Provided that when one of the judges of the said court shall be absent from the settlement, and the other judge of the said court shall, from illness, absence from Freetown, or from other unavoidable cause, be unable to attend the court, it shall be lawful for the Master or Registrar of the Court, by direction of such judge, to open and adjourn the court to such day as the said judge shall direct; and thereupon the said court shall stand adjourned to such day in like manner as if the court had been adjourned by the said judge in person.

In case of difference the Chief Justice shall have a double vote.

Proviso for adjourning the Court by the Master thereof in the absence of one Judge and illness of the other.

Governor in Chief may appoint an Acting Judge when neither of the Judges are able to sit.

IV. That upon the death, resignation, sickness, or incapacity of the said Chief Justice or the said Assistant Judge, or in case of the absence of any of them from the said Settlement, it shall and may be lawful to and for the said Governor in Chief for the time being to nominate and appoint some fit and proper person or persons to act as and in the place and and stead of any such Chief Justice or Assistant Judge so dying, resigning, or labouring under such sickness or incapacity, as aforesaid, or being so absent, as aforesaid, from the said Settlement, until the vacancy or vacancies so created by any such death, or resignation, or sickness, or incapacity, or absence, shall be supplied by a new appointment by Her Majesty the Queen, or until the Chief Justice or Assistant Judge so becoming sick, or incapable, or being absent as aforesaid, shall resume such his office, and enter into the discharge of the duties thereof.

The Jurisdiction of the Court and Judges shall be the same as is exercised by the Courts and Judges of King's Bench, Common Pleas, and Exchequer at Westminster.

V. That the said Supreme Court shall have cognisance of all pleas, civil or criminal, and jurisdiction in all cases whatsoever, as fully and amply to all intents and purposes as Her Majesty's Court of King's Bench, Common Pleas, and Exchequer at Westminster, or either of them, lawfully have or exercise, and the said court shall also at all times be a court of oyer and terminer, and general gaol delivery in and for the said Settlement and its dependencies; and the said justices of the said court shall have and exercise such and the same jurisdiction and authority in the said Settlement and the dependencies thereof as the judges of the Courts of King's Bench, Common Pleas, and Exchequer in England, or any of them, lawfully have and exercise, and as shall be necessary for carrying into effect the several jurisdictions, powers, and authorities committed to the said court.

The Court shall be a Court of Equity, and the Judges thereof shall have the like powers and jurisdiction as the Lord High Chancellor of Great Britain and the Vice-Chancellors of England.

VI. That the said Supreme Court shall be a Court of Equity within the limits of the jurisdiction thereof, and shall have power and authority to administer justice, and to do, exercise, and perform all such acts, matters, and things necessary for the due execution of such equitable jurisdiction as the Lord High Chancellor of Great Britain can or lawfully may do, exercise, or perform within the realm of England; and in all cases, where under any Act of Parliament, or order issued in pursuance thereof, any jurisdiction, power, authority, or duty is vested in, or is to be exercised, or performed in England, by the Vice-Chancellors or any of them whilst sitting at chambers, or in open court, all such jurisdictions, power, authority, and duty, and the ministerial powers and authorities incident thereto or consequent thereupon, shall be vested in, had, exercised and performed by the Chief Justice or the Assistant Judge of the said Supreme Court of the said Settlement of Sierra Leone.

The Court shall have like jurisdiction as the Court of Probate in England.

VII. That the said Supreme Court shall have jurisdiction in all cases as fully as Her Majesty's Court of Probate now hath in England, and shall have power to grant probates, under the seal of the said court, of the last wills and testaments of all or any inhabitants of the said Settlement and its dependencies, and of all other persons who shall die and leave personal effects within the same; and shall also have power to grant letters of administration of the goods, chattels, credits and all other effects whatsoever of the persons aforesaid who shall die intestate, or who shall not have named an executor resident within the said settlement or its dependencies, or where the executor, being duly cited, shall not appear and sue forth such probate, annexing the said will to letters of administration when any such person shall have left a will without naming any executor who shall be then alive and resident within the said settlement or its dependencies aforesaid, and who, being cited thereunto, shall not appear and sue forth probate thereof; and to sequester the goods and chattels, credits and other effects whatsoever of such persons so dying in cases allowed by law; and to demand, require, take, hear, examine, and allow, and if occasion require, to disallow or reject, the accounts of such executors or administrators, in such manner and form as may be used in Her Majesty's Court of Probate in England, and to do all other things whatsoever necessary in that behalf: Provided always, that in all cases when the executor of any will being duly cited, shall refuse or neglect to take out probate, or where the next of kin shall be absent, and the personal estate and effects of the deceased shall appear to the said court or any judge thereof to be exposed and liable to waste, it shall be lawful for the said court or any judge thereof to authorise and empower any person the said court or judge shall think fit to collect such personal estate and effects, and to hold, deposit, or dispose of the same in such manner as the court shall direct, and subject to such rules and orders as shall be made under the authority of this Ordinance, for the custody, control, sale, and disposal of all such personal estate and effects.

VIII. That

The Court shall have like jurisdiction as the Court of Divorce and Matrimonial Causes in England; and the powers of the Court of Divorce under the Colonial Ordinance of 13th September 1858, shall be exercised by the Court or any Judge thereof.

VIII. That the said Supreme Court shall have jurisdiction in all cases as fully as Her Majesty's Court for Divorce and Matrimonial Causes hath in England; and all the jurisdictions, powers, and authorities of the Court for Divorce and Matrimonial Causes, as constituted by an Ordinance of the Governor and Council passed on the 13th day of September 1858, shall be transferred to the said Supreme Court, and shall be exercised by the said Supreme Court or any judge thereof.

The Assistant Judge shall be a Commissioner of the Court for the Relief of Insolvent Debtors under the Colonial Ordinance of 12th February 1852, with the powers possessed by the Chief Justice in such Court.

IX. The said Assistant Judge of the said Supreme Court shall also be a Commissioner of the Court for the Relief of Insolvent Debtors established under an Ordinance passed by the Governor and Council on the 12th day of February 1852; and the said Assistant Judge is hereby empowered to sit in and hold the said court for the relief of insolvent debtors at Freetown, with the like powers, jurisdiction, and authority possessed by the Chief Justice of the said Supreme Court under the said Ordinance.

Criminal offences shall be tried before one or more of the Judges and a jury of 12 men.

X. That on the trial of any person or persons upon any indictment or information before the said Supreme Court for any murder, treason, felony, misdemeanor, or other offences, such trial shall and may be had by any one or more judge or judges of the said court, and a jury of 12 men sworn to give their verdict according to the evidence.

Civil actions shall be tried before any one or more of the Judges without a jury; and the Judges' decision shall be the same as the verdict of a jury.

XI. That in any actions at law in the said Supreme Court, when the parties, plaintiff and defendant, in any such action shall join issue on any matter of fact, the trial of such issue or issues shall and may be by one or more of the judges of the said court without a jury; and the decision of the said judge or judges in every cause or action tried without a jury shall be of the same effect as the verdict of a jury, and shall be taken and adjudged to be, and shall be recorded as, the judgment of the said Supreme Court; and the proceedings upon and after such trial, as to the power of the court or judge, the evidence, and otherwise, shall be the same as in the case of trial by jury.

The Officer of the Court shall take down the evidence, which shall be entered on the proceedings and be of record; and in case of appeal all documents given in evidence or refused shall be annexed to the proceedings.

XII. That on the trial of all civil causes in the said Supreme Court, the evidence given on every such trial shall be taken down in writing by the officer of the court, in the presence of the witnesses respectively giving the same, and the evidence so taken shall be entered upon the proceedings of the said court and be of record; and in every case in which any appeal shall be lawfully made and allowed from any judgment of the said court, copies of all documents and papers which shall have been produced and given in evidence shall be certified and transmitted by the said officer of the court as authentic; and also copies of any documents and papers which shall have been produced and tendered in evidence and rejected, shall, if required by the party producing the same, be in like manner authenticated, but marked by such officer as aforesaid as rejected, in order that all such copies may be annexed to the record as part thereof in case of appeal.

When the damages given shall be less than 100 *l.* in civil actions, the Court or Judge may refuse costs or reduce same.

XIII. In any action tried in the said Supreme Court by and before any judge thereof in which the damages assessed by the said court or any judge thereof shall be less than 100 *l.*, the said court or such judge is hereby empowered either to refuse costs to the plaintiff, or to reduce such costs to any amount he may deem proper.

The Administrator of the Government may exercise all the powers of the Governor in his absence.

XIV. That all powers which, under this Ordinance, may be exercised by the Governor of the West African Settlements may, in the absence or during the incapacity of such Governor, be exercised by the officer administering for the time being the Government of the Settlement of Sierra Leone.

This Ordinance and that of 15th December 1858 shall be read as one Ordinance.

XV. This Ordinance and the Ordinance passed by the Governor and Council on the 15th day of December 1858 shall be read and construed as one Ordinance, as if the several provisions contained in the said Ordinance referred to, not inconsistent with the provisions of this Ordinance, were repeated and re-enacted in this Ordinance.

Commencement of Ordinance.

XVI. This Ordinance shall not come into operation until the same shall be duly proclaimed.

Sam. W. Blackall,
Governor in Chief.

Passed in the Legislative Council this 16th day of November, in the year of our Lord 1866.

John Ashwood,
Acting Clerk of Legislative Council.

Enclosure 2, in No. 2.

No. 5.

Encl. 2, in No. 2. (L. S.) *Sam. W. Blackall*, Governor.

SIERRA LEONE.

In the Thirteenth Year of the Reign of Her Majesty Queen VICTORIA.

Samuel Wensley Blackall, Governor in Chief.

16 November 1866.

At a Legislative Council held on the Sixteenth day of November, in the Year of our Lord One thousand Eight hundred and Sixty-six.

Title. An ORDINANCE for establishing a Court of Summary Jurisdiction within the Settlement of *Sierra Leone*.

Preamble. WHEREAS it is expedient to make further provisions for the administration of justice within the Settlement of Sierra Leone and its dependencies:

Enacts. Be it therefore enacted by the Governor in Chief and Legislative Council of the Settlement of Sierra Leone as follows:

The establishment of "The Court of Summary Jurisdiction of the settlement of Sierra Leone."

I. That there shall be established within the said Settlement a Court of Summary Jurisdiction; and that such Court shall be styled "The Court of Summary Jurisdiction of the Settlement of Sierra Leone," and shall be a Court of Record.

The Assistant Judge of the Supreme Court shall be Judge of the Court.

II. That the Assistant Judge of the Supreme Court of the said Settlement of Sierra Leone for the time being shall be Judge of the said Court of Summary Jurisdiction.

The Court shall be held at Freetown, on the 1st and 3rd Mondays in each month, or as the Governor in Chief shall appoint.

III. That the said court shall be held at such times and places within the said Settlement as the said Governor in Chief shall from time to time appoint; and in default of such appointment at Freetown within the said Settlement on the first Monday and the third Monday of every month, for the hearing, trial, and determination of all matters, causes, and proceedings in the said court, and shall continue to sit so long as there shall be any business before it.

The Governor in Chief shall appoint a clerk and other officers, and have power to remove.

IV. That the said Governor in Chief for the time being may from time to time appoint and remove a clerk of the said court, who shall keep the records of the said court, together with so many other officers as the said Governor in Chief shall find necessary.

The Governor in Chief shall appoint a deputy judge in case of illness, &c.

V. That it shall be lawful for the said Governor in Chief to appoint from time to time a deputy to act for the said judge of the said court at any time when he shall be prevented, by illness, absence, or otherwise, from sitting in the said court; and such deputy judge, while acting under such appointment, shall have the like powers as if he were judge of the said court.

The Court shall have jurisdiction in all personal actions not exceeding 100 *l.*;

VI. That the said court shall have jurisdiction in all pleas of personal actions within the said Settlement and its dependencies where the debt, damage, or demand claimed is not more than One hundred pounds, whether on balance of account or otherwise, without writ; and all such actions brought in the said court shall be heard and determined in a summary way by and before the Judge of the said court without a jury; and the decision of the judge in all such actions shall be taken and adjudged to be, and shall be recorded as, the judgment of the said court; provided always, that the court shall not have cognisance of any action of ejectment, or in which the title to any corporeal or incorporeal hereditaments, or to any toll, fair, market, or franchise, shall be in question, or in which the validity of any devise, bequest, or limitation under any will or settlement may be disputed, or for any malicious prosecution, or for any libel or slander, or for criminal conversation, or for seduction, or breach of promise of marriage.

Certain actions excepted.

Power of appeal to the Supreme Court upon notice given and security;

VII. That if either party in any cause tried in the said court shall be dissatisfied with the determination or direction of the said Court in point of law, or upon the admission or rejection of any evidence, such party may appeal from the same to the Supreme Court of the said Settlement of Sierra Leone as a Court of Appeal; provided that such party shall, within 10 days after such determination or direction, give notice of such appeal to the other party, and also give security, to be approved by the clerk of the court, for the costs of appeal, whatever be the event of the appeal, and for the amount of the judgment, if he be the defendant and the appeal be dismissed; and the said Court of Appeal may either order a new trial on such terms as it thinks fit, or may order judgment to be entered for either party as the case may be, and may make such order with respect to the costs of the said appeal as such court may think proper; and such orders shall be final.

Appeal Court may order a new trial, or that judgment be entered for either party, and give costs as it may think proper.

VIII. That

VIII. That the Judge of the said Court shall also be Commissioner of Escheat within the said Settlement of Sierra Leone and its dependencies; and all proceedings necessary to be taken before the granting of lands and tenements which may have escheated to the Crown, shall and may be had and taken before the said Judge as such Commissioner of Escheat as aforesaid. The Judge of the Court to be Commissioner of Escheat.

IX. That from and after the commencement of this Ordinance the Court of Requests for the district of Freetown shall be abolished, and all suits then depending in the said Court shall be transferred to the said Court of Summary Jurisdiction, and shall be heard and determined by the Judge of the said Court as if the same had been commenced in the said Court of Summary Jurisdiction. The Court of Requests for Freetown abolished, and cases then pending shall be tried in "The Court of Summary Jurisdiction."

X. That it shall be lawful for the Judges of the Supreme Court of Sierra Leone from time to time to make general rules and orders for the effectual execution of this Ordinance, and for regulating the practice of the said Court and forms of proceeding therein, the fees and poundage to be paid to any officer, costs of suits and the taxing thereof, and all matters relating to the business of the said Court; and from time to time to rescind, amend, or alter such rules or orders; and all such rules or orders, subject to such power of recision, amendment, and alteration, shall have the same force as if the same were made by and embodied in this Ordinance: Provided always, that no such rules, so made as aforesaid, shall be of any force or effect until the same shall have been approved by the Governor in Chief of the West African Settlements, which approval shall be certified under the hand of the said Governor in Chief for the time being. The Judges of the Supreme Court shall make Rules for execution of this Ordinance, and for regulating the practice of the Court to be approved by the Governor in Chief.

XI. That all powers which under this Ordinance may be exercised by the Governor in Chief of the West African Settlements, may, in the absence of such Governor in Chief, be exercised by the officer administering for the time being the Government of the Settlement of Sierra Leone. Officer administering the Government to exercise the powers of the Governor in Chief during his absence.

XII. That this Ordinance shall not come into operation until the same shall be duly proclaimed. Commencement of Ordinance.

Sam. W. Blackall, Governor in Chief.

Passed in the Legislative Council this 16th day of November, in the year of our Lord 1866.

John Ashwood, Acting Clerk of Legislative Council.

Enclosure 3, in No. 2.

Sir, Sierra Leone, 15 November 1866. Encl. 3, in No. 2.

I HAVE to draw your Excellency's attention to the 8th section of "The Summary Jurisdiction Ordinance," received from England, with directions that it should be passed at once.

By that section, "all proceedings necessary to be taken before the granting of lands and tenements, which may have escheated to the Crown, shall and may be had before the Assistant Judge, as Commissioner of Escheat."

In cases of escheat, a jury of 12 men inquire into and return a verdict upon the questions submitted to them. It would be desirable, therefore, to ascertain from the Secretary of State if it is intended by section 8, that a jury should accordingly inquire into the facts, or that the judge alone, without a jury, should try the question of escheat.

If the latter be the object, as I presume it is, for trial by jury in civil actions no longer exists, and it would not be judicious to keep it up in cases of escheat—the wording of the 8th section, I fear, would be differently applied, and be considered as implying inquiry by a jury as heretofore.

It is true that, by section 10, the Judges of the Supreme Court have power to make general rules for the "effectual execution of the Ordinance," but no rules framed could affect the true construction of the wording of the 8th section, or direct that the inquiry shall be before the judge alone, if by that section the inquiry is to be by the jury as heretofore.

If I am correct in the view I take, the Ordinance may remain as it is, and a separate Ordinance passed enacting what shall be "the proceedings necessary to be taken in cases of escheat."

The Ordinance "for the settlement of claims to grants of land" is not affected by either of the two Ordinances sent out to be passed.

I have, &c.
(signed) *Horatio Jas. Huggins,*
Queen's Advocate.

His Excellency the Governor-in-Chief,
&c. &c. &c.

— No. 3. —

No. 3.

Governor Blackall to the Right Hon. the Earl of Carnarvon.

8 December 1866.

(No. 25.)

COPY of a DESPATCH from Governor *Blackall* to the Right Honourable the Earl of *Carnarvon*.

Gambia, 8 December 1866.
(Received 3 January 1867.)
(Answered, No. 104, 23 February 1867, page 30.)

My Lord,

I HAVE the honour to enclose to your Lordship a Despatch, which has been handed to me by Colonel d'Arcy, with the Enclosure, being the Ordinance for making provision for the Administration of Justice within the Settlement of the River Gambia and its Dependencies, which your Lordship directed should be passed by the Legislative Council.

2. I have not proclaimed this Ordinance, because whilst it would repeal the Ordinance by which at present a Commissioner may be appointed to hold a sessions for a general gaol delivery, I should have no power to nominate an Acting Chief Magistrate until such an appointment had been made by Her Majesty.

3. There are at present a number of prisoners awaiting their trial, and Colonel d'Arcy proposes, in which I concur, to appoint Mr. Brown, late of the Council, and who has already discharged the duties on several occasions, to be the Commissioner.

4. I beg further to draw your Lordship's attention to the observations made in Colonel d'Arcy's Despatch as to the interpretation which may be placed on the 7th section; and this is further confirmed by a casual conversation which I had yesterday with Mr. Parker, appointed to the Gold Coast. If the gentlemen who are appointed to carry out the duties enjoined in this Ordinance at the Gold Coast and Gambia are not also to be police magistrates and sit in the Courts of Summary Jurisdiction, all the economy of doing away with the offices of Chief Justice will be lost, whilst the trials of greater importance, on which alone they would be required to act, are very rare.

5. I venture, therefore, respectfully to suggest that these magistrates should be made fully to understand that all the duties in all the Courts will devolve upon them.

I have, &c.
(signed) *Sam. W. Blackall*,
Governor in Chief.

Enclosure in No. 3.

(No. 1.)

Encl. in No. 3.

Government House, Bathurst, Gambia,
27 November 1866.

Your Excellency,

IN forwarding the Ordinance for a uniform system of jurisprudence for the Settlements dependent on your Government, I venture to write a few lines suggestive of some requirements necessary, as far as the Gambia is concerned.

2. The new law, as a whole, must work well and beneficially to the community, especially the provision made for hearing and determining civil suits, actions, and pleas; the care and custody of the persons and estates of all idiots, lunatics, &c.; and the authority to give probate of wills, and grant letters of administration; abolishing the grand jury in crimes and offences, is also a great improvement; but the reconstruction of a Government is always difficult in exact proportion to the delicacy of its original organization; in cancelling the letters patent of 1842, we must be prepared at starting to meet difficulties under those of 1866; from the preamble of the Ordinance, and all I have been able to gather from your Excellency, I believe it is your wish, and that of his Lordship the Secretary of State, to have no cumbrous machinery for the administration of justice in the settlements, and with that view the offices of Chief Justice and Police Magistrate are to be amalgamated, throwing the work on a Stipendiary Magistrate. This arrangement is well met by the Ordinance, as far as civil causes are concerned, but if the duty of the magistrate is to be confined to hearing causes requiring the intervention of a jury, his office will become nearly as much a sinecure as the Chief Justice's was, and you will require another paid magistrate for police cases, as it cannot be expected that private gentlemen will give up their time, day after day, to hear petty complaints such as are brought before the Police Court.

3. I judge

3. I judge entirely by the provisions of the 7th section, as to what the magistrates' duties are to be; the intentions of the Government may be carried out by instructions; if he is to conduct the duties of Police Magistrate as well as Judge, I would submit that defined orders should be given to him to hear and determine cases of simple larceny, and slight offences requiring short imprisonment, without the intervention of a jury, unless the criminal elected otherwise, agreeable to the Ordinance of 20th June 1862, styled, "An Ordinance for diminishing expense and delay in the administration of criminal justice in certain cases." This arrangement would reduce the number of prisoners requiring a jury to a very few, in this Settlement; a jury court once in every third or fourth month would be found quite sufficient, especially in so small a Settlement where the petty crime of larceny is so rife, but where the more serious crimes are seldom committed; out of 1,990 convictions during my administration, only 332 were felonious against the person.

4. I trust your Excellency will not view my non-professional advice as officious, but I have lived continuously in this town for upwards of seven years, and beg to tender to you the benefit of my experience.

I have, &c.

His Excellency the Governor-in-Chief, &c. &c. &c.

(signed) *G. d'Arcy*, Administrator.

ORDINANCE for the Better Administration of Justice within the Settlements on the River Gambia and its Dependencies.

AT a Council held on the 26th day of November, in the year of our Lord 1866.

AN ORDINANCE to make Better Provision for the Administration of Justice, within the Settlements on the River Gambia and its Dependencies.

WHEREAS Her Most Gracious Majesty Queen Victoria has been pleased to issue a Commission under the Great Seal, bearing date the 19th day of February 1866, uniting the Colony of Sierra Leone together with the Forts and Settlements on the West Coast of Africa under one Governor in Chief, and providing for the Government thereof: And whereas it is expedient to make beter provision for the Administration of Justice within the said Settlements on the River Gambia and its Dependencies:

Be it therefore enacted by the Administrator and Legislative Council of the said Settlement as follows:—

1. That from and after the passing of this Ordinance, there shall be established within the said Settlement a Court of Civil and Criminal Justice, and that such Court shall be styled "The Court of Court of Civil and Criminal Justice of the Settlements on the River Gambia," and shall be a Court of Record, and shall consist of, and be holden by and before, the chief magistrate to be named and appointed by Her Majesty the Queen.

2. That the said Court shall be holden at such times and places within the said Settlement as the Administrator of the government of the Settlement shall from time to time appoint, and in the absence of such appointment, at Bathurst, within the said Settlement, on the first Monday of every month in each year, for the hearing, trial, and determination of all matters, causes, and proceedings in the said Court, and shall continue to sit so long as there shall be any business before it, civil or criminal: Provided, that when the said chief magistrate shall, from illness or other cause, be unable to attend the Court, the clerk of the Court shall adjourn the Court to such day as he may deem convenient, and enter in the minute-book the cause of such adjournment.

3. That the said Court shall have and use as occasion may require, a seal bearing a device and impression of the Royal arms, and this inscription, "The Seal of the Court of the Settlements on the River Gambia."

4. That the said Administrator may from time to time appoint and remove a clerk of the said Court, who shall keep the records of the Court, together with so many other officers as the said Administrator shall find necessary.

5. That in case of the death, absence, or incapacity, by sickness or otherwise, of the said chief magistrate, the said Administrator may nominate and appoint some fit and proper person to act as chief magistrate during such absence or incapacity, or in the case of death until a successor shall be appointed by Her Majesty the Queen; and every such acting chief magistrate shall be competent to preside in the said Court, and to exercise all the jurisdictions, functions, and authorities of the said chief magistrate until superseded by his return, or his becoming again capable, or by such new appointment as aforesaid.

6. That the said Court shall have cognisance of, and full power to hear and determine, all civil suits, actions, and pleas between party and party, that shall or may arise or happen, or that have already arisen or happened, within the said Settlement; and all such pleas, suits, actions, and causes shall be tried by and before the said chief magistrate without a

jury; and the decision of the said chief magistrate shall, in all such pleas, suits, actions, and causes, be taken and adjudged to be, and shall be recorded as, the judgment of the said Court.

7. That the said Court shall have full power and authority to inquire of all crimes and offences committed within the said Settlement, and to hear, try, and determine all prosecutions which shall be commenced against any person or persons, for or in respect of any such crimes or offences, or alleged crimes or offences. And that, on the trial of any person or persons before the said Court for any such crime or offence, such trial shall be had by the said chief magistrate and a jury of 12 men, sworn to give their verdict according to the evidence; provided nevertheless, that if, upon the trial of any crime or offence before the said Court, 12 good and lawful men being duly summoned, shall not appear to form a jury, or if the number of persons appearing shall be reduced by lawful challenges below the number of 12, then and in all such cases such trial shall be had before the said chief magistrate and any number of the jury who shall appear and shall not be lawfully challenged as aforesaid, not being less than six, who shall be sworn, and have the same power as if the full number of 12 had appeared.

8. Provided always, that no judgment or sentence of the said Court in any criminal case whereby any person shall be condemned to death, or transportation, or banishment, or penal servitude, or imprisonment, for more than 12 calendar months with hard labour, shall be carried into execution until a report of all the proceedings upon any such trial shall have been laid before or transmitted to the Administrator of the said Settlement, by the magistrate presiding at such trial, and until such Administrator shall have authorised and approved the execution of such sentence.

9. That the said Court shall have the care and custody of the persons and estates of all idiots, lunatics, and others of insane or nonsane mind, resident within the said Settlement, with full power to appoint guardians and curators of all such persons and their estates, and to take order for the maintenance of such persons and the proper management of their estates, and to take proper securities for such management from such guardians and curators, and to call them to account, and to charge them with any balance which may be due to any such persons aforesaid, or to their estates, and to enforce the payment thereof, and to take order for the secure investment of any such balances, and such guardians and curators from time to time to remove and replace as occasion may require.

10. That the said Court shall have full power and authority to appoint administrators of the estate and effects of any persons dying within the said Settlement intestate, or who may not have any last will and testament, appointed any executor or trustee for the administration or execution thereof, and like power and authority to inquire into and determine upon the validity of any document or documents adduced before them, as and for the last will and testament of any person who may have died within such Settlement, and to record the same, and to grant probate thereof, with like power and authority to appoint administrators for the administration or execution of the trusts of any such last will and testament as aforesaid, in cases where the executors or trustees thereby appointed shall not appear and take out probate thereof, or having appeared and taken out such probate, shall by death or otherwise, become incapable to carry any such trusts fully into execution. And the said Court is hereby further authorised and empowered to take proper securities from all executors and administrators of the last wills and testaments of any deceased persons, or of the estates and effects of any persons who may have died intestate, for the faithful performance of such trusts, and for the proper accounting to the said Court for what may come to their hands, or be by them expended in the execution thereof; with like power and authority to call all such executors and administrators to account, and to charge them with any balances which may be due to the estates of any such deceased persons, and to enforce the payment thereof, and to take order for the secure investment of any such balances, and such executors and administrators from time to time to remove and replace as occasion may require.

11. That in all cases where the sum or matter at issue in any such suit or action shall exceed or be of the value of more than 50 *l.*, the said chief magistrate shall cause the evidence on every such trial as aforesaid to be taken down in writing by the clerk or other proper officer in open Court, in the presence of the witnesses respectively giving the same, and the evidence so taken shall be entered upon the proceedings of the said Court, and be of record; and in every case in which any appeal shall be lawfully made from any judgment of the said Court, copies of all documents and papers which shall have been produced and given in evidence, shall be certified and transmitted by the said clerk or other proper officer as authentic; and also copies of any documents and papers which shall have been produced and tendered in evidence and rejected, shall, if required by the party producing the same, be in like manner authenticated, but marked by such officer as aforesaid as rejected, in order that all such copies may be annexed to the record as part thereof in case of appeal; and that it shall be lawful for the said chief magistrate, on the application of either of the parties, plaintiff or defendant, at or before the trial of any issue joined in any civil suit or action, commenced in the said Court, to permit the evidence on such trial to be recorded and certified as aforesaid, although the sum or matter at issue may be less than 50 *l.*, provided that it shall be made to appear to such chief magistrate that such judgment, decree, order, or sentence, which may be given, made or pronounced in such suit or action, may

may be of such importance as to render it proper that the evidence on such trial should be recorded and certified as aforesaid.

12. That all laws and ordinances now in force in the said Settlement repugnant to or in anywise inconsistent with the provisions of this Ordinance shall be, and the same are, to the extent of such repugnancy or inconsistency, hereby repealed.

13. The term Administrator of the Government of the Settlement shall, in this Ordinance, include any officer for the time being lawfully administering such government.

G. d'Arcy, Administrator.

Passed in the Legislative Council this 26th day of November, in the year of our Lord 1866.

W. Melton, Acting Clerk of Council.

— No. 4. —

(No. 39.)

No. 4.
The Governor to the Right Hon. the Earl of Carnarvon.
15 December 1866.

COPY of a DESPATCH from the Governor to the Right Honourable the Earl of *Carnarvon*.

Government House, Sierra Leone,
15 December 1866.
(Received 3 January 1867.)
(Answered, No. 104, 23 February 1867, page 30.)

My Lord,

HIS Excellency the Governor in Chief being absent from the Colony, I have the honour to forward to your Lordship, by his desire, the following copy of a Despatch which has been received by this mail from the Administrator of Lagos.

I have, &c.
(signed) *J. Ashwood*,
Acting Private Secretary.
By order, and in the absence of, the Governor in Chief.

Enclosure in No. 4.

(No. 64.)

Encl. in No. 4.

Sir, Government House, Lagos, 5 December 1866.

I HAVE the honour to forward, herewith enclosed, six copies of "An Ordinance to make better Provision for the Administration of Justice within the Settlement of Lagos and its Dependencies," passed by the Council on the 1st December, and to inform your Excellency that notice of the Ordinance taking effect has been publicly given.

I have, &c.
(signed) *John H. Glover.*

To his Excellency the Governor in Chief,
&c. &c. &c.
Sierra Leone.

No. 7.

LAGOS.—WEST COAST OF AFRICA.

In the Thirtieth Year of the Reign of Her Majesty Queen VICTORIA.

John Hawley Glover, Administrator.

[1st December 1866.]

At a Council held on the 1st day of December, in the year of our Lord 1866.

AN ORDINANCE to make Better Provision for the Administration of Justice within the Settlement of Lagos and its Dependencies. Subject.

WHEREAS Her most gracious Majesty Queen Victoria has been pleased to issue a Commission under the Great Seal, bearing date the 19th day of February 1866, uniting the Colony of Sierra Leone, together with the forts and settlements on the West Coast of Africa, under one Governor in Chief, and providing for the Government thereof: and whereas, it is expedient to make better provisions for the administration of justice within the said Settlement of Lagos and its Dependencies: Preamble.

Be it therefore enacted, by the Administrator and Legislative Council of the said Settlement as follows:

Style of Court to be established.

I. That from and after the passing of this Ordinance, there shall be established within the said Settlement, a Court of Civil and Criminal Justice, and that such Court shall be styled "The Court of Civil and Criminal Justice of the Settlement of Lagos," and shall be a Court of Record, and shall consist of, and be holden by and before the chief magistrate, to be named and appointed by Her Majesty the Queen.

When and where to be holden.

II. That the said Court shall be holden at such times and places within the said Settlement as the Administrator of the Government of the Settlement shall from time to time appoint, at the town of Lagos, within the said Settlement, on the first Monday of every month in each year, for the hearing, trial, and determination of all matters, causes, and proceedings in the said Court; and shall continue to sit so long as there shall be any business before it, civil or criminal: Provided that when the said chief magistrate shall, from illness or other cause, be unable to attend the Court, the clerk of the Court shall adjourn the Court to such day as he may deem convenient, and enter in the minute book the cause of such adjournment.

Seal of Court.

III. That the said Court shall have, and use as occasion may require, a seal, bearing a device and impression of the Royal Arms, and this inscription, "The Seal of the Court of the Settlement of Lagos."

Clerk to keep records.

IV. That the said Administrator may from time to time appoint and remove a clerk of the said Court, who shall keep the records of the Court, together with so many other officers as the said Administrator shall find necessary.

If necessary Administrator to appoint substitute for chief magistrate.

V. That in case of the death, absence, or incapacity by sickness or otherwise, of the said chief magistrate, the said Administrator may nominate and appoint some fit and proper person to act as chief magistrate during such absence or incapacity, or, in the case of death, until a successor shall be appointed by Her Majesty the Queen; and every such acting chief magistrate shall be competent to preside in the said Court, and to exercise all the jurisdictions, functions, and authorities of the said chief magistrate, until superseded by his return, or his becoming again capable, or by such new appointment as aforesaid.

Civil cases to be heard without jury.

VI. That the said Court shall have cognisance of, and full power to hear and determine, all civil suits, actions, and pleas between party and party, that shall or may arise or happen, or that have already arisen or happened, within the said Settlement; and all such pleas, suits, actions, and causes shall be tried by and before the said chief magistrate without a jury; and the decision of the said chief magistrate shall, in all such pleas, suits, actions, and causes, be taken and adjudged to be, and shall be recorded as, the judgment of the said Court.

Criminal with jury.

VII. That the said Court shall have full power and authority to inquire of all crimes and offences committed within the said Settlement, and to hear, try, and determine all prosecutions which shall be commenced against any person or persons for or in respect of any such crimes or offences, or alleged crimes or offences. And that on the trial of any person or persons before the said Court for any such crime or offence, such trial shall be had by the said chief magistrate and a jury of 12 men, sworn to give their verdict according to the evidence: Provided nevertheless, that if, upon the trial of any crime or offence before the said Court, 12 good and lawful men, being duly summoned, shall not appear to form a jury; or if the number of persons appearing shall be reduced by lawful challenges below the number of 12, then, and in all such cases, such trial shall be had before the said chief magistrate and any number of the jury, who shall appear and shall not be lawfully challenged as aforesaid, not being less that six, who shall be sworn, and have the same power as if the full number of 12 had appeared.

Jury to consist of not less than six.

Judgment of Court to be approved by Administrator in certain cases.

VIII. Provided always, that no judgment or sentence of the said Court in any criminal case, whereby any person shall be condemned to death, or transportation, or banishment, or penal servitude, or imprisonment for more than 12 calendar months with hard labour, shall be carried into execution until a report of all the proceedings upon any such trial shall have been laid before or transmitted to the Administrator of the said Settlement, by the magistrate presiding at such trial, and until such Administrator shall have authorised and approved the execution of such sentence.

Court to have care and custody of persons and estates of idiots, &c.

IX. That the said Court shall have the care and custody of the persons and estates of all idiots, lunatics, and others of insane or nonsane mind, resident within the said Settlement, with full power to appoint guardians and curators of all such persons and their estates, and to take order for the maintenance of such persons, and the proper management of their estates, and to take proper securities for such management from such guardians and curators, and to call them to account, and to charge them with any balance which may be due to any such persons aforesaid, or to their estates, and to enforce the payment thereof, and to take order for the secure investment of any such balances, and such guardians and curators from time to time to remove and replace as occasion may require.

Court to be Court of Probate.

X. That the said Court shall have full power and authority to appoint administrators of the estate and effects of any persons dying, within the said Settlement intestate, or who may not have by any last will and testament appointed any executor or trustee for the administration

tration or execution thereof, and like power and authority to enquire into and determine upon the validity of any document or documents adduced before them as and for the last will and testament of any person who may have died within such Settlement, and to record the same, and to grant probate thereof, with like power and authority to appoint administrators for the administration or execution of the trusts of any such last will and testament as aforesaid, in cases where the executors or trustees thereby appointed, shall not appear and take out probate thereof, or having appeared and taken out such probate, shall, by death or otherwise, become incapable to carry any such trusts fully into execution. And the said Court is hereby further authorised and empowered to take proper securities from all executors and administrators of the last wills and testaments of any deceased persons, or of the estates and effects of any persons who may have died intestate, for the faithful performance of such trusts, and for the proper accounting to the said Court for what may come to their hands, or be by them expended in the execution thereof, with like power and authority to call all such executors and administrators to account, and to charge them with any balances which may be due to the estates of any such deceased persons, and to enforce the payment thereof, and to take order for the secure investment of any such balances, and such executors and administrators from time to time to remove and replace as occasion may require.

In actions for more than 50 *l.*, evidence to be taken by clerk.

XI. That in all cases where the sum or matter at issue in any such suit or action shall exceed or be of the value of more than (50 *l.*) fifty pounds, the said chief magistrate shall cause the evidence on every such trial as aforesaid to be taken down in writing by the clerk or other proper officer in open Court, in the presence of the witness respectively giving the same, and the evidence so taken shall be entered upon the proceedings of the said Court and be of record; and in every case in which any appeal shall be lawfully made from any judgment of the said Court, copies of all documents and papers which shall have been produced and given in evidence shall be certified and transmitted by the said clerk or other proper officer as authentic; and also copies of any documents and papers which shall have been produced and tendered in evidence and rejected, shall, if required by the party producing the same, be in like manner authenticated, but marked by such officer as aforesaid as rejected, in order that all such copies may be annexed to the record as part thereof in case of appeal. And that it shall be lawful for the said chief magistrate, on the application of either of the parties, plaintiff or defendant, at or before the trial of any issue joined in any civil suit or action commenced in the said Court, to permit the evidence on such trial to be recorded and certified as aforesaid, although the sum or matter at issue may be less than (50 *l.*) fifty pounds, provided that it shall be made to appear to such chief magistrate that such judgment, decree, order, or sentence which may be given, made, or pronounced in such suit or action, may be of such importance as to render it proper that the evidence on such trial should be recorded and certified as aforesaid.

Copies to be made of documents admitted or rejected.

Evidence to be taken in actions for less than 50 *l.* if important.

Inconsistent or repugnant Ordinances so far repealed.

XII. That all laws and Ordinances now in force in the said Settlement repugnant to, or in anywise inconsistent with, the provisions of this Ordinance, shall be, and the same are, to the extent of such repugnancy or inconsistency, hereby repealed.

XIII. The term Administrator of the Government of the Settlement, shall in this Ordinance include any officer for the time being, lawfully administering such Government.

(L. S.) *John Hawley Glover.*

Passed in the Legislative Council, this 1st day of December, in the year of our Lord 1866.

(signed) *Walter Lewis,* Clerk of Council.

— No. 5. —

(No. 59.)

No. 5.
The Governor to the Right Hon. the Earl of Carnarvon.
15 Dec. 1866.

COPY of a DESPATCH from the Governor to the Right Honourable the Earl of *Carnarvon.*

Government House, Sierra Leone,
15 December 1866.
(Received, 3 January 1867.)
(Answered, No. 104, 23 February 1867, page 30.)

My Lord,

HIS Excellency the Governor in Chief being absent from the Colony, I have the honour to forward to your Lordship, by his desire, the following copy of a Despatch which has been received by this mail from the Administrator of the Gold Coast.

No. 107, 1st Dec. 1866.

I have, &c.
(signed) *J. Ashwood,*
Acting Private Secretary.
By order, and in the absence of, the Governor in Chief.

Enclosure in No. 5.

Encl. in No. 5. (No. 107.)

Government House, Cape Coast,
1 December 1866.

Sir,

In reply to Despatch (No. 69), of 10th November last, I have now the honour to forward for confirmation four copies of Ordinance (No. 9), which passed into law on the 21st instant, and trust your Excellency will find them correct.

I have, &c.
(signed) *Edw. Conran,*
Colonel, and Administrator of the Government.

His Excellency Colonel Blackall,
Governor in Chief, Sierra Leone.

No. 9.—1866.

Gold Coast.

In the Thirtieth Year of the Reign of Her Majesty Queen Victoria.

Edward Conran, Administrator.

At a Council held on the 21st day of November, in the year of our Lord 1866.

An Ordinance to make Better Provision for the Administration of Justice within the Settlement on the Gold Coast and its Dependencies.

Whereas Her most Gracious Majesty Queen Victoria has been pleased to issue a Commission under the Great Seal, bearing date the 19th day of February 1866, uniting the Colony of Sierra Leone, together with the Forts and Settlements on the West Coast of Africa, under one Governor in Chief, and providing for the Government thereof: And whereas it is expedient to make better provisions for the administration of justice within the said Settlement on the Gold Coast and its dependencies:

Be it therefore enacted by the Administrator and Legislative Council of the said Settlement as follows:

1. That from and after the passing of this Ordinance, there shall be established within the said Settlement a Court of Civil and Criminal Justice, and that such Court shall be styled "The Court of Civil and Criminal Justice of the Settlement on the Gold Coast," and shall be a Court of Record, and shall consist of, and be holden by and before, the chief magistrate to be named and appointed by Her Majesty the Queen.

2. That the said Court shall be holden at such times and places within the said Settlement as the Administrator of the government of the Settlement shall from time to time appoint, and in the absence of such appointment, at Cape Coast Castle, within the said Settlement, on the first Monday of every month in each year, for the hearing, trial, and determination of all matters, causes, and proceedings in the said Court, and shall continue to sit so long as there shall be any business before it, civil or criminal: Provided, that when the said chief magistrate shall, from illness or other cause, be unable to attend the Court, the clerk of the Court shall adjourn the Court to such day as he may deem convenient, and enter in the minute-book the cause of such adjournment.

3. That the said Court shall have and use, as occasion may require, a seal bearing a device and impression of the Royal arms, and this inscription: "The Seal of the Court of the Settlement on the Gold Coast."

4. That the said Administrator may from time to time appoint and remove a clerk of the said Court, who shall keep the records of the Court, together with so many other officers as the said Administrator shall find necessary.

5. That in case of the death, absence, or incapacity by sickness, or otherwise, of the said chief magistrate, the said administrator may nominate and appoint some fit and proper person to act as chief magistrate during such absence or incapacity, or in the case of death until a successor shall be appointed by Her Majesty the Queen; and every such acting chief magistrate shall be competent to preside in the said Court, and to exercise all the jurisdictions, functions, and authorities of the said chief magistrate until superseded by his return, or his becoming again capable, or by such new appointment as aforesaid.

6. That the said Court shall have cognisance of, and full power to hear and determine, all civil suits, actions, and pleas between party and party, that shall or may arise or happen, or that have already arisen or happened, within the said Settlement; and all such pleas, suits, actions, and causes shall be tried by and before the said chief magistrate without a jury; and the decision of the said chief magistrate shall, in all such pleas, suits, actions, and causes be taken and adjudged to be, and shall be recorded as, the judgment of the said Court.

7. That

7. That the said Court shall have full power and authority to inquire of all crimes and offences committed within the said settlement, and to hear, try, and determine all prosecutions which shall be commenced against any person or persons for or in respect of any such crimes or offences, or alleged crimes or offences. And that on the trial of any person or persons before the said Court for any such crime or offence, such trial shall be had by the said chief magistrate and a jury of 12 men, sworn to give their verdict according to the evidence: provided, nevertheless, that if upon the trial of any crime or offence before the said Court, 12 good and lawful men, being duly summoned, shall not appear to form a jury, or if the number of persons appearing shall be reduced by lawful challenges below the number of 12, then, and in all such cases, such trial shall be had before the said chief magistrate and any number of the jury who shall appear, and shall not be lawfully challenged as aforesaid, not being less than six, who shall be sworn, and have the same power as if the full number of 12 had appeared.

8. Provided always, that no judgment or sentence of the said Court in any criminal case whereby any person shall be condemned to death, or transportation, or banishment, or penal servitude, or imprisonment for more than 12 calendar months with hard labour, shall be carried into execution, until a report of all the proceedings upon any such trial shall have been laid before, or transmitted to the administrator of the said settlement by the magistrate presiding at such trial, and until such administrator shall have authorized and approved the execution of such sentence.

9. That the said Court shall have the care and custody of the persons and estates of all idiots, lunatics, and others of insane or non-sane mind, resident within the said settlement, with full power to appoint guardians and curators of all such persons and their estates, and to take order for the maintenance of such persons and the proper management of their estates, and to take proper securities for such management from such guardians and curators, and to call them to account, and to charge them with any balance which may be due to any such person aforesaid, or to their estates, and to enforce the payment thereof, and to take order for the secure investment of any such balances; and such guardians and curators from time to time to remove and replace as occasion may require.

10. That the said Court shall have full power and authority to appoint administrators of the estate and effects of any persons dying within the said settlement intestate, or who may not have by any last will and testament appointed any executor or trustee for the administration or execution thereof, and like power and authority to inquire into and determine upon the validity of any document or documents adduced before them as and for the last will and testament of any person who may have died within such settlement, and to record the same, and to grant probate thereof, with like power and authority to appoint administrators for the administration or execution of the trusts of any such last will and testament as aforesaid, in cases where the executors or trustees thereby appointed shall not appear and take out probate thereof, or having appeared and taken out such probate, shall by death or otherwise become incapable to carry any such trusts fully into execution. And the said Court is hereby further authorized and empowered to take proper securities from all executors and administrators of the last wills and testaments of any deceased persons, or of the estates and effects of any persons who may have died intestate, for the faithful performance of such trusts and for the proper accounting to the said Court for what may come to their hands or be by them expended in the execution thereof, with like power and authority to call all such executors and administrators to account, and to charge them with any balances which may be due to the estates of any such deceased persons, and to enforce the payment thereof, and to take order for the secure investment of any such balances, and such executors and administrators from time to time to remove and replace as occasion may require.

11. That in all cases where the sum or matter at issue in any such suit or action shall exceed or be of the value of more than 50 *l.*, the said chief magistrate shall cause the evidence on every such trial as aforesaid to be taken down in writing by the clerk or other proper officer in open Court in the presence of the witnesses respectively giving the same, and the evidence so taken shall be entered upon the proceedings of the said Court, and be of record; and in every case in which any appeal shall be lawfully made from any judgment of the said Court, copies of all documents and papers which shall have been produced and given in evidence shall be certified and transmitted by the said clerk or other proper officer as authentic, and also copies of any documents and papers which shall have been produced and tendered in evidence and rejected, shall, if required by the party producing the same, be in like manner authenticated, but marked by such officer as aforesaid as rejected, in order that all such copies may be annexed to the record as part thereof, in case of appeal. And that it shall be lawful for the said chief magistrate, on the application of either of the parties, plaintiff or defendant, at or before the trial of any issue joined in any civil suit or action commenced in the said Court, to permit the evidence on such trial to be recorded and certified as aforesaid, although the sum or matter at issue may be less than 50 *l.*, provided that it shall be be made to appear to such chief magistrate that such judgment, decree, order, or sentence which may be given, made, or pronounced in such suit or action, may be of such importance as to render it proper that the evidence on such trial should be recorded and certified as aforesaid.

12. That all laws and ordinances now in force in the said settlement repugnant to or in anywise inconsistent with the provisions of this Ordinance shall be, and the same are, to the extent of such repugnancy or inconsistency, hereby repealed.

13. The term "Administrator of the Government of the Settlement," shall in this Ordinance include any officer for the time being lawfully administering such Government.

Edward Conran, Administrator.

Passed in the Legislative Council this 21st day of November, in the year of our Lord 1866.

H. T. Usher, Clerk of Council.

— No. 6. —

No. 6.
Governor Blackall to Right Hon. the Earl of Carnarvon. 21 November 1866.

(No. 89.)

EXTRACT of a DESPATCH from Governor *Blackall* to the Right Honourable the Earl of *Carnarvon*.

Government House, Sierra Leone,
21 November 1866.
(Received 11 December 1866.)
(Answered, No. 105, 23 February 1867, page 30.)

My Lord,

21 November 1866.

I HAVE the honour to enclose to your Lordship a memorial which has just been placed in my hands for transmission, praying that the proposed Ordinances for the improvement of justice may not be confirmed.

The statements in the body of the memorial are in some part correct. These Ordinances were passed at one sitting, to enable me to forward them to your Lordship by this mail, as it is of importance they should be brought into operation early in the ensuing year; but they were not passed in one reading; on the contrary, they were read over twice; the second time clause by clause, and put to the Board of Council *seriatim*, and all other formalities were observed.

With regard to the non-official members, one expressed his great approval of the measures, and the other offered no opposition.

I was quite prepared, however, for this movement, which is entirely got up. I have gone carefully through the signatures; and though there appear the names of a few respectable black men, the majority is composed of persons utterly unable to comprehend the question at issue. There is not the name of a single white man appended, whilst there are in the community numbers of European merchants having much more at stake within the Colony than those who have signed this document.

In the true interests of the Colony I cannot recommend this memorial to your Lordship's favourable consideration. The abolition of juries in civil cases will put an end to a system of fraudulent litigation, fostered by unprincipled attorneys, which has long been a standing reproach to Sierra Leone.

I have, &c.
(signed) *Sam. W. Blackall*,
Governor in Chief.

Enclosure in No. 6.

Enclosure in No. 6.

To the Right Honourable the Earl of *Carnarvon*, Her Majesty's Principal Secretary of State for the Colonies, &c., &c., &c.

My Lord,

WE, Her Britannic Majesty's loving and loyal subjects of the Colony of Sierra Leone, for ourselves, and on behalf of numerous other subjects of the said Colony, beg leave to approach your Lordship for the purpose of respectfully, but firmly, protesting against the Confirmation of an Ordinance, entitled "An Ordinance to make further provisions for the Administration of Justice within the Settlement of Sierra Leone and its Dependencies," which passed the Governor and Legislative Council on the 16th November 1866, as Ordinance No. 4, of the said year.

The

The very onerous and distinguished position in which it has pleased our Most Gracious Sovereign to place you, with respect to this and other important British Colonies, whose welfare, from the goodness of Her heart, we believe, she deems intimately connected with the peace and glory of Her reign, assures us that any confidence which we, Her dutiful subjects, may repose in you can never be misplaced, especially when it is based, as in this instance, upon your sense of, and esteem for the ancient, constitutional rights of British subjects; and we, therefore, proceed, with great reliance on your sincere anxiety for the tranquillity and honour of Her most Gracious Majesty and Her Government, to submit to you the following reasons for protesting against the confirmation of the Ordinance here referred to, reasons which, we believe, you cannot but unhesitatingly pronounce to be just, and in keeping with the undoubted principles of the British Constitution.

We beg to state, firstly, that, contrary to the long-established practice here, a practice strictly in keeping with the right of British subjects to make known their objections to any public measure by means of petitions to the Legislature, or through their representatives, no notice whatever was given to the public here that an Ordinance of such vital importance, altering, in fact, the constitution of the Colony, was so much as intended even to be introduced into the Legislative Council of Sierra Leone.

Secondly. That not even the unofficial members of the Legislature knew any thing about this Ordinance until the very day it was passed; one, some minutes before he entered the Council-room; and the other, not until he had taken his seat at the Council Board, when a copy of the Ordinance was handed him, so that even they were prevented, studiously, it appears, from being able to express any sentiments unfavourable, or otherwise, to this Ordinance, or to acquaint the people that there was such a measure under contemplation.

Thirdly. That, before some of the members of the Legislature had time to read, for themselves, the contents of this Ordinance, it was proceeded with and passed, passed at one sitting, passed in less than an hour, and after one reading only.

Fourthly. That as British subjects, we are entitled by the British Constitution to know what are the measures introduced into, or before the Legislature of the Colony, vitally affecting our rights and interests, and the rights and interests of the community; and it is the right of the inhabitants of this Colony, Her Majesty's loving subjects, to be afforded time to make such representations as they desire, under all circumstances, before such measures have been passed, or have been finally disposed of by the Legislature.

Fifthly. That in consequence of the non-notification of there being such an Ordinance to be dealt with by the Legislature, the hurried and unconstitutional manner in which it was passed, and the time between its passing and the departure of the mail conveying it for confirmation, the general community has been absolutely debarred from giving publicity to their decided sentiments against the 11th clause of the Ordinance especially, and from petitioning against the abolishment of trial by jury in civil actions for which this clause provides, and stating their reasons for doing so; a circumstance which, considered in itself, apart from the other condemnable circumstances connected with the passing of this Ordinance, could not, we respectfully submit, but cause you to recommend the non-confirmation of this Ordinance, and our Most Gracious Majesty at once to approve of your recommendation, until a reasonable time shall have been afforded us as British subjects to lay our complaints and objections respecting it before the Imperial Government.

For the foregoing reasons, my Lord, we now unanimously and absolutely protest against the confirmation of this Ordinance, until we, among numerous others of Her Majesty's loyal subjects in this Colony, shall have had sufficient time to make known in a legitimate manner their sentiments concerning it to Her Majesty's Ministers, and to point out the intolerable wrong, the gross injustice which would be done to the inhabitants here, were such an Ordinance—such an alteration, in fact, of the constitution of the Colony to receive Her Majesty's sanction; and we very confidently rely upon your Lordship duly to lay this our protest before Her Gracious Majesty, or those of her Ministers whom it may concern, and to give it all the support to which your high sense of justice and impartiality tells you it is entitled.

We have, &c.
(signed) *J. W. Hughes,*
(and 53 other Signatures.)

Freetown, Sierra Leone,
21 November 1866.

— No. 7. —

(No. 6.)

No. 7. Governor Blackall to Right Honourable the Earl of Carnarvon. 14 January 1867.

COPY of a DESPATCH from Governor *Blackall* to the Right Honourable the Earl of *Carnarvon*.

Government House, Sierra Leone, 14 January 1867.

My Lord, (Received, 2 February 1867.)

Enclosure, No. 1.

1. I HAVE the honour to enclose to your Lordship a petition which has been placed in my hands for transmission, regarding the Ordinance, No. 4, of 16th November 1866, which I forwarded for confirmation by the mail of 21st November last.

2. This petition bears upon the face of it the same authorship as a former petition which I forwarded by the same mail as the Ordinance, and is evidently the composition of a West Indian editor who has been only one year and a half in this Colony. It could not have been read to, or understood by, one-tenth of the persons who have signed it, and who are principally marksmen.

3. The statements recklessly made in the body of the petition prove how ignorant the writer is of the antecedents of this Colony, and the proved partiality of jurors when their feelings were concerned; whilst the assertion that, "a few months back an extensive system of cruelly ill-treating the labouring classes by kicking, beating, horsewhipping, and subjecting them to other brutal treatment, prevailed among many of the higher officials," is utterly untrue.

4. Neither is it the fact that this Ordinance can be shown to be "stamped with the characteristics of an infamous party measure;" whilst the only authority quoted as to the good conduct of juries here in civil cases, is the evidence of Sir Benjamin Pine, given before the Committee of the House of Commons, which, on reference, will be found to be quite against allowing juries in civil cases.

5. It is also asserted that no single instance can be adduced of the malversation of juries here, by which, I presume, is meant their giving a verdict opposed to the evidence, and regardless of the oaths they have taken; but, I regret to say, this is quite contrary to proved facts, and that a want of respect for the value of an oath is the great blot on the jurors of this Colony. In the year 1853 it was found necessary to abolish grand juries because they would never find a true bill for slave dealing; but these same men now come in as petit jurors, and if they were ready to forget their oaths on one occasion, there is no reason to suppose they would not do so on another; but the most fatal injury done to a mercantile community like this, by the want of confidence in juries, is, that the public are always at the mercy of unscrupulous lawyers, who trade upon the passions of the jurors to alarm honest men into paying costs rather than face a trial. It was stated to Colonel Ord by the leading merchant here, that he would sooner submit to a heavy loss than risk a trial before a Sierra Leone jury in civil action.

6. The same complaint has been made very lately from the Gold Coast; and so, it appears to me, must it be where the community is so limited, education so backward, and prejudice so rife. Sir Benjamin Pine says, that no man would have a chance against an Akoo with an Akoo jury; but he might have gone further, for though there are at present but few original Akoos left, the influence of the chief of the tribe, Macauley, is continued, and any person electing to go to his tribunal previous to going to law courts will be secure of a verdict.

Enclosure No. 2.

7. I enclose to your Lordship a report sent to me by the police magistrate, which I submitted for observations to the judge who tried the cases. I think these bear out my own observations when giving my evidence on this subject before the Committee of the House of Commons, that though the verdicts in criminal cases were generally satisfactory, there were cases when feelings were enlisted in which they could not be depended upon.

8. I will now remark upon the weight to be attached to the names of those who have signed, and who have not signed, this petition. I find the names of about six respectable black merchants who might possibly have cases in court amounting to more than 100*l.* in value, up to which amount all cases are now tried before a judge only; the rest are petty traders and "marksmen," mostly from

from the villages, and who cannot have the slightest interest in the passing of this Ordinance, as it will in no way affect them ; but there is a conspicuous absence of all the solid respectability of the community. The petition is not signed by a single Member of either of the Councils ; by not a single minister of the church; by not a single member of the bar or medical practitioner, without regard to colour; neither is it signed by a single European merchant, whether English, French, or German, and of whom we have many established here ; nor have I had any remonstrance from the consuls of those countries. In fact, for years this perversion of justice, by the indifference of juries to be guided by evidence, and allowing themselves to be influenced by passion, has been felt as the serious evil of our jurisprudence ; and all honest men hail with pleasure an alteration which will place the decisions in civil cases in the hands of educated and impartial judges.

I have, &c.
(signed) *Sam. W. Blackall,*
Governor in Chief.

Enclosure 1, in No. 7.

Sir, Sierra Leone, 24 October 1866. Encl. 1, in No. 7.

I TAKE the liberty of bringing to your Excellency's notice the notorious and to be deplored fact that the first cases (attached) that have ever come under the Act of Parliament (copy attached), especially provided to meet them has been ignored by the jury of this Colony when tried before the Supreme Court at its last sitting, by an acquittal of the prisoners, in direct opposition to the evidence brought against them, evidence taken by myself and the acting assistant police magistrate, and which could hardly have failed to result otherwise than in conviction of both the prisoners had they been tried by an unprejudiced jury.

I am confident no jury here will ever convict prisoners who may be tried under this Act of Parliament, for the persons composing it make no secret that they themselves (being merchants and traders) are compelled to resort to the same illegal and barbaric course for the recovery of their debts from natives to whom they give credit residing out of the jurisdiction, under the head of what is called "country fashion," which is to seize the property and person of any that comes in their way, irrespective of the individual so despoiled being resident hundreds of miles from the place where the debtor resides, nor having knowledge of or connection with him.

That resistance follows is inevitable, and that murder, as in the present case, often ensues is not to be wondered at, whilst such a course is pernicious to the interests of the Colony ; for the inhabitants of the neighbouring countries are thereby deterred from coming to it to trade, when they are certain to be met with piracy, highway robbery, and occasional murder on their journey, and that at the hands of British subjects.

I have been induced to thus briefly bring this matter to your Excellency's notice, being aware some alteration in the administration of justice in this Colony is contemplated by the Government. I therefore deem so patent a perversion of it by the jury at the present time shows but too clearly how necessary that alteration is, and how beneficial its results may prove.

(signed) *Alexander Bravo,*
Police Magistrate.

To His Excellency Colonel Blackall,
Governor and Commander in Chief.

SAMUEL DUNCAN was charged before Alexander Bravo, Esq., one of Her Majesty's Justices of the Peace in and for the Colony of Sierra Leone, on the *30th day of August 1866, at Freetown, for that he the said Samuel Duncan, at Rocoproo, on the River Scarcies, to the north of this Colony, and to the south of the Rio Grande or Bulola, on the 25th day of June 1866, at Rocoproo, on the River Scarcies aforesaid, together with divers others whose names are unknown, feloniously did make an assault in and upon one Abdulai Darahmee, and him the said Abdulai Darahmee then feloniously did put in bodily fear and danger of his life, and then feloniously and violently did steal from the person and against the will of the said Abdulai Darahmee, two barrels gunpowder, value 8 *l.* ; 10 pieces unbleached cotton, value 7 *l.* 4 *s.*, and 30 pieces blue bafts, value 12 *l.* ; the goods and chattels of the said Abdulai Darahmee, contrary to the statute in such case made and provided.

* This refers to the date on which they were committed to take their trial.

N.B.—Duncan was brought up and committed on the 30th.

JOHN ELLIOTT PETERS was charged, along with John Turner and Anthony, before Algernon Montagu, Esquire, one of Her Majesty's justices of the peace in and for the Colony of Sierra Leone, on the * 15th day of September 1866, at Freetown, for that they the said John Elliott Peters, John Turner and Anthony, on the 5th day of August 1866, on

* This refers to the date on which they were committed to take their trial.

on the River Scarcies, a navigable river, and situate on the West Coast of Africa, to the north of this colony, and to the south of the Rio Grande or Bulola, piratically, feloniously and wilfully, and of their malice aforethought, did kill and murder one Tigda Maddy; and then and there piratically and feloniously did make an assault on and upon the said Tigda Maddy, and him the said Tigna Maddy then feloniously did put in bodily fear and danger of his life; and then piratically, feloniously, and violently did steal from the person and against the will of the said Tigda Maddy one bag value 2 *s.*, and two ounces of gold value 8 *l.* 10 *s.* 10 *d.*, and five hides, his goods and chattels; he the said John Elliott Peters being then and there armed with a certain offensive weapon and instrument, to wit a gun; and they, the said John Turner and Anthony, being then and there respectively armed with a certain offensive weapon and instrument, to wit a cutlass, contrary to the statute in such case made and provided.

N.B.—Peters was brought up on the 4th of September, and committed on the 15th of the same month.

ANNO VICESIMO QUARTO ET VICESIMO QUINTO VICTORIÆ REGINÆ, c. 31.

AN ACT for the Prevention and Punishment of Offences committed by Her Majesty's Subjects within certain Territories adjacent to the Colony of Sierra Leone. [11th July 1861.]

WHEREAS the inhabitants of the territories adjacent to the Colony of Sierra Leone, extending to the Rio Grande or Bulola to the north of the Colony, to the River Gallinas to the south of the Colony, and for 500 miles to the east of the Colony, being in an uncivilized state, offences against the persons and property of such inhabitants and others are frequently committed by Her Majesty's subjects within such territories with impunity; for remedy thereof, be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Laws in force at Sierra Leone for punishment of crimes extended to British subjects in adjacent territories.

1st. The laws which are now or which shall hereafter be in force in the colony of Sierra Leone for the punishment of crimes therein committed shall be, and the same are hereby extended and declared applicable to all Her Majesty's subjects within any territory adjacent to the said Colony, and being within the limits as aforesaid; and every crime or offence committed by any of Her Majesty's subjects within any such territory in contravention of any such laws shall be cognisable in any such courts, and shall be inquired of, tried, and prosecuted, and, on conviction, punished in such and the same manner as if the same had been committed within the said colony.

Sir, Sierra Leone, 14 January 1867.

I HAVE perused the report of the police magistrate on the result of two cases tried at the September sittings of the Supreme Court, forwarded to me by your Excellency, and in answer to your Excellency's request to inform you "if the police magistrate is correct in assuming that the informations taken before him and the assistant police magistrate were supported, and not disproved, on the trials, these trials having been held before me."

I have the honour to state that, in the case of "the Queen *v.* Duncan," for robbery in the River Scarcies, tried under the Act 24 & 25 Vict. c. 31, the evidence for the Crown was conclusive and unshaken, either on cross-examination or by inconsistency in the statements of the several witnesses; but the accused set up for defence an "alibi;" that at the time of the robbery he was unwell, and in bed. The jury believed the witnesses for the defence, notwithstanding contradictions and inconsistencies in their evidence, and acquitted the prisoner. The witnesses were the prisoner's own house servants only, and evidently were swearing to what was not true; and being brought into court to prove one single fact, namely, that the prisoner was in bed ill at the time of the robbery, it was not easy to catch them on cross-examination, with such clear contradictions and false swearing as would have justified me in committing them, as I had committed several other witnesses for perjury in other cases. Any one, however, could see clearly that these witnesses were perjuring themselves, and that the contradictions and discrepancies in their testimony, and the want of disinterested witnesses to support them, who might have been obtained, ought to have satisfied an unprejudiced jury that the defence was untrue, and that the clear case for the Crown was in no respect shaken.

"The Queen *v.* Peters."

No case could have been clearer, of a most foul and brutal murder upon an unresisting man, than this for murder in the River Scarcies, under the same statute. Peters, with armed men, attacked a canoe in which the murdered man and others were, and plundered it; the captain and oarsmen, who were all unarmed, made no resistance, nor did the passengers; but most of them jumped overboard and swam to the land. The murdered man, who held fast his bag of gold, was, by order of Peters, thrown overboard; he rose and grasped

grasped the gunwale; Peters then ordered him to be beaten with ropes; finding, however, that the unfortunate man, from whom they had already taken the bag of gold, still held on firmly, to save himself from drowning, for he could not swim, Peters came up, and with the butt-end of his gun brutally struck the poor fellow several blows on the arm, which he broke, and the man sank; he was subsequently picked up, the arm found broken, and part of his body eaten by an alligator.

The evidence was most conclusive; and, notwithstanding every effort to shake the testimony of the witnesses, some of whom were unknown to each other and were not in the boat, but eye-witnesses of the affair, their evidence could not be shaken or made inconsistent; they all swore to Peters as the man, and identified him clearly by his dress then, and afterwards, when they proceeded to the native chief of the place, to complain of the robbery, and get the goods restored which had been taken to the yard where Peters lived; but the defence set up in this case also was an "alibi;" that Peters, during the whole of that day and night, never left the house, and was not present at the robbery. The witnesses to prove this were, the woman he lived with as his wife, his little niece, his servant, and his clerk; and although they clearly contradicted each other, some swearing that the people in the house and yard never heard the noise on the beach, and knew not of the robbery, while one swore the noise was heard, and they all went out to see what was taking place; one that Peters had a lot of friends who, with Peters and himself, sat up till one o'clock in the morning, while others swore he had no friends with him, and that the whole household went to bed at eight o'clock; yet with these material contradictions and some others equally patent, the jury acquitted the prisoner.

At the following sessions, Peters was brought up for robbery committed at the same time and in the same place upon another person. The charge was in like manner clearly proved, but he again set up the like alibi, which was proved by some of the same witnesses, and he was acquitted.

In the former case I thought the verdict of "Not guilty" was owing to a strong disinclination to bring in a verdict of "Guilty of murder" against a fellow creature and fellow trader or merchant, and therefore the jury chose to take advantage of the equivocal evidence in support of the alibi; but I was not a little surprised when they (quite a distinct jury) also acquitted Peters of the robbery under the other charge for robbery only; I was the more surprised as he had not a single disinterested witness on his behalf (in either case), when he could have obtained many to prove the facts he set up in his defence; not only of an alibi, but that this robbery (which was admitted) was, as his counsel contended, committed under the orders of his landlord, whose orders were carried out without his (Peter's) knowledge, concurrence, or connivance. This defence, far from being proved, rather went against the prisoner, as from the facts which came out, the robbery in both cases, if not committed by Peters himself, was done by his inducing or inciting others to commit it for him (there was a count in the information for counselling, ordering, and inciting); it was for his benefit, as was admitted and proved by his own witnesses, and arose, they swore, under the following circumstances:—A man living in a village up the river owed Peters a debt; Peters went to his landlord to recover the debt (the course of proceeding in these countries), who proceeded to the king, and the king gave an order that the river should be stopped against all boats coming down, and that those belonging to the village (not to the debtor!) should be plundered! The boats were accordingly not only stopped, but indiscriminately plundered; for the two which were stopped, and the persons therein robbed, were from a different village to that of the debtor to Peters, and had no connection with him whatever.

I believe the statements made by the police magistrate in his report before me of the 24th October 1866 are based on correct information; I say so not only from what I have heard, but from my own observations, and I concur in his remarks.

The cases above referred to were not the only cases of perversion of justice during these sessions. There were two others; charges against a woman for aggravated assault upon two police officers; the gross assault was in each case clearly proved; the police officer had his head cut, and yet the jury in each case acquitted the woman. The assault and battery were proved not only by the policemen, but by disinterested witnesses, and there was no evidence whatever of any previous assault by the police officer. I could not understand these unaccountable verdicts, each from a distinct jury, and they caused surprise to many.

From these two last cases to which I have referred, which were tried before those of Duncan and Peters, I became more satisfied than ever that the complaints against the jury system in this settlement were well founded, "that no justice could be expected from a Sierra Leone jury;" and they certainly went to corroborate the opinion I expressed in my Report to your Excellency of 18th October 1863, shortly after my arrival here, when your Excellency called upon me to report upon two verdicts given contrary to evidence and to the judge's charge in two civil actions for assault brought against the inspector of police.

In that Report, which your Excellency forwarded to England, and which caused instructions from the Secretary of State for the Ordinance subsequently passed, establishing a court for reviewing verdicts which were not unanimous in civil cases, I fully entered into the question for my reasons and opinion why the jury system in small communities, especially in the Colonies, was incompatible with justice—(*See* particularly paragraphs 19 and 20). I had held a different opinion in my younger days, but as I grew older, and, from observation of facts before me, gained experience, through long residence both in Europe

and in the West Indies, I found that I had been labouring under the delusion that the jury system was in the Colonies, as in England, a great bulwark of the British constitution, and that there could be no justice without it. No greater mistake could exist as respects, at any rate, the Colonies. In these the people are thoroughly acquainted with each other; are mixed up in each other's affairs; are influenced by each other's feelings and by relationship; and in this Colony, where they are banded together by tribeship under various headmen or rulers, and are governed by them, these chieftains in the first instance investigate all matters in dispute, and according to their decision so must any of the tribe to which one of the litigants belongs, sitting on the jury, give their verdict, whatever may be the evidence; and the witnesses must swear in support of their fellow-countryman's case, otherwise they will suffer for a contrary verdict or evidence. Such are the opinions expressed here by long residents, and I believe correctly, for I have found it to be the case when sitting as chairman with two other Commissioners to investigate claims to grants of land; it has come out in evidence that the matter has been previously investigated in the Headman's Court and settled; fortunately, however, in the Land Commission Court the Commissioners sit without a jury, and I have had good opportunity of observing the tribeship feeling which exists.

With these observations I might close my Report, but I think it right to draw your Excellency's attention to the fact how little dependence can be placed upon juries here, and how little they value their oath as jurors.

Notwithstanding the Ordinance passed by direction of the Secretary of State to remedy the evil which had been complained of,—an Ordinance which gave the opportunity of reviewing the verdicts of juries as to damages in civil actions—juries which have been unanimous in giving damages have not been unanimous in their verdict for or against the defendant on the merits; some considered the verdict should be for the defendant, and yet these (a majority of eight constituting a verdict) joined with the others in giving a fixed amount of damages for the plaintiff, expressly to avoid a revision of their verdict as to the damages. When this Ordinance was passed, some of the Members of Council expressed their opinion that it would be a dead letter, as the jurors would combine to give an unanimous verdict as to damages, however much they might differ as to the verdict or the damages.

The Ordinance sent out from the Government to be passed here, doing away with juries in civil cases, is therefore a wise measure; one which I am glad to find is approved by his Honour Chief Justice Carr, who has had an experience of 26 or 27 years in this Colony as Chief Justice, and concurs in the opinion that civil cases should be tried without a jury. In my opinion the ends of justice would be better attained if criminal as well as civil cases were tried without a jury; the Governor is always at hand to entertain any application by a convicted prisoner against the sentence, and to exercise the prerogative of the Crown.

Trials without a jury would, moreover, be a saving of much expense to the Colony, though judges might prefer being relieved from the anxiety and responsibility of themselves giving verdicts, especially in criminal cases; but if the ends of justice require them to perform this duty, it should be imposed upon them.

I have, &c.
(signed) *Horatio Jas. Huggins,*
Acting Chief Justice.

His Excellency the Governer in Chief,
&c. &c. &c.

Enclosure 2, in No. 7.

Encl. 2, in No. 7. To the Right Honourable the Earl of *Carnarvon,* Her Majesty's Principal Secretary of State for the Colonies, &c. &c. &c.

The humble Petition of the undersigned, Her Gracious Majesty's loving and loyal Subjects of the Colony of Sierra Leone,

Most respectfully sheweth,

That, in accordance with a protest forwarded to your Lordship on the 21st November 1866, by a number of the inhabitants of this Colony, protesting against the confirmation of Ordinance No. 4 of 1866, which passed the Governor and Legislative Council here on the 16th of November, we beg leave thereby to state our grounds for petitioning as herein done against this Ordinance, and to express our sentiments concerning the same. And, your Lordship, in also hereby setting forth, as well as we can, our claims and title to those rights, without which, from the nature of the British constitution, government would be scarcely better than a cunningly-devised system of despotism; here, in asserting our right to the institution of trial by jury, the most admirable of the British constitution and the most essential to the security and freedom of British subjects, we faithfully rely upon your Lordship's most serious attention and impartial consideration, knowing as you do know, that our petition is in vindication of our claims, as British subjects, to an institution of superior right and supreme principles, and to which you, in common with all Englishmen, your Lordship, are deeply indebted for the stability and excellence of the British constitution, and for the liberty which you enjoy, and the freedom of which you might boast.

Your petitioners do not think it necessary to remind your Lordship of the fact that trial by jury here, as well in civil as in criminal cases, which is now sought to be abolished in civil

civil actions by the passing of Ordinance, No 4 of 1866, is, although a scion institution, an institution of the Colony, inseparable from, and a component and essential part of, the constitution; but they must therefore remark, and here premise, that the abolishment of this institution would be so complete an abnegation of their dearest and most vital rights and liberties as British subjects; so thorough and so radical a change in the constitution, that the most unsuspicious, the most unquestionable, and the most preponderating evidence that such an act is absolutely necessary for, and positively calculated to promote good government and the better administration of impartial justice in this Her Majesty's Colony, is imperatively needed to justify her assenting to such an act by confirming Ordinance, No. 4 of 1866. And even then, your Lordship, we, Her loyal subjects, inhabitants of this Colony, might well pause and consider what of the constitution was left, entitling it, after such a change, to our adherence and preference nevertheless: since it is very possible, your Lordship, that by an abridgment of certain institutions which are the bulwarks of the freedom of the British constitution, if not by that of the institution of trial by jury alone, Englishmen generally would be indifferent as to whether they swore allegiance to, or were ruled by, a Russian czar or a Turkish sultan, and since too, your Lordship, freedom to us is as dear as to the native Englishman.

Your petitioners would particularly draw your Lordship's attention to the fact that no justifiable reasons whatever for the abolishment of trial by jury in civil cases, and consequently for the confirmation of Ordinance, No. 4 of 1866, have been, or can be, alleged by its few advocates and supporters, although all the legitimate and constitutional means by which such reasons were to be, if they could be furnished, were at their disposal. The Supreme Court being a court of record, nothing was easier than to lay before your Lordship a fair number of cases evidencing such a miscarriage of justice from the institution of trial by jury here, vitiated by whatever cause, as would warrant your Lordship on your honour, and in all sincerity for the honour and glory of Her Majesty's reign, and the welfare of all Her subjects, to recommend to Her Majesty's Government the abolition of this institution. Why, then, were not such cases cited? Can they be? Then, in the name and for the sake of impartial justice, let them be cited. Or who are those subjects, your Lordship, that have unjustly suffered from the verdicts of juries in civil actions? If they would not appeal to the Court of Assessors, which virtually nullifies trial by jury, if they would not appeal to the higher courts known to the laws for the filtration (if we might say so) of justice, but, and if even on the naked, bigoted assertion that they have suffered from the wilfully unjust verdict of juries, they would have the constitution impaired by the demolition of trial by jury, let them at least show that they are not too impatient of constitutional control, and pursue, therefore, the constitutional course of petitioning for the elimination of this ancient institution from the constitution; as we pursue it, in here petitioning against the confirmation of the Ordinance in question. Yet, if the advocates of this measure had, pursuing the constitutional course, petitioned, they would have been bound to, they would not have dared otherwise than lay such plausible reasons before your Lordship, and taken up such apparently tenable grounds as might have at least induced your Lordship to recommend their petition to the serious consideration, at all events, of Her Majesty's Government: hence this evidently proper and legitimate course has not been pursued; they could neither adduce plausible reasons nor find tenable grounds, but have resorted to the unworthy expedient for attaining their end, of passing, or using their influence for the passing of this Ordinance, and would implicate you, your Lordship, in the unworthiness of their procedure, if your Lordship could recommend the confirmation of this Ordinance in spite of its perniciousness, and the absence of every proper constitutionally essential requisite for sustaining it.

But from whom has this Ordinance originated, and what is its end? Is it the result of the forcible complaints of the community, or, in other words, did it originate with the people?

Your petitioners beg to inform your Lordship that it is not the result of the complaints of the people against trial by jury in civil cases, nor did it emanate from them. They oppose and detest, as one man, this Ordinance, and they could never be guilty of the palpable inconsistency of forcing the Government by their complaints against trial by jury, to make this Ordinance, and then petition your Lordship, as is done here, against its confirmation. It is then a Government measure—we will not say party—and, as such, it must, because of its nature, and, because of the principles of the British Government, stand or fall by its adaptation to the express wants and wishes of the people, and the quantity of assent given to it. Because, your Lordship knows that it is the peculiar genius of the British constitution and Government that the laws derive and sustain vitality from the assent, at least, of the people generally. But, apart from this consideration and the fact already stated, that the people, as one man, oppose and abhor this Ordinance, there is the further consideration that the constitutional right of the people to be the initiators of legislative enactments, having been virtually ignored in this instance by the authors of this Ordinance, they were, in all fairness, and in keeping with the fundamental principles of British Government, absolutely bound to ascertain and to give the people a reasonable time to express their sentiments with respect to the desirability and necessity for this Ordinance abolishing trial by jury in civil cases. But what are the facts on this point? Why, that this Ordinance abridging the constitution of its rarest and most valuable part, calling upon Her Most Gracious Majesty to deprive the inhabitants of an institution of the Colony

enjoyed by them from time immemorial here, was passed at one reading—passed in less than an hour—passed while members of the Legislature in less than that period; and Her Majesty's other loyal subjects here generally were profoundly ignorant at all of its existence! Can Her Gracious Majesty, then, give Her royal sanction to this Ordinance, so destructive to the interests, constitutional rights, and liberties of your Lordship's petitioners, introduced as it was, unsustained as it has been, and passed, too, under such unlawful circumstances?

And now, your Lordship, to examine "what is its end?" The purport of this Ordinance, as given by its authors only in its title, is "to make further provision for the administration of justice within the Settlement of Sierra Leone and its dependencies." From this it would naturally be expected that the constitution of the Colony would be left in all its integrity by this Ordinance, whose provisions would then be but so many further, that is, additional legal means by which Her Majesty's subjects here might be able to obtain more amply or perfectly the justice which the constitution is capable of yielding. But, contrary to this patent fact, your Lordship has doubtlessly already remarked that this Ordinance provides in fact for the injury of the constitution by annihilating a component and essential part, viz., the ancient institution of trial by jury. And where are the reasons? What are the grounds for supposing that by this institution, which is as old as the well-defined British constitution itself, and which has for centuries won the approval, elicited the highest encomiums, and been the admiration of the most eminently political and constitutional, British as well as foreign, sages, as the most perfect means for the attainment of impartial justice and the preservation of the freedom of British subjects; by this institution, we say, being eradicated from our constitution it will be left in a condition for the better administering, or even administering as before such act of deprivation, justice to its inhabitants? We are confident your Lordship's response would be, "No such grounds have as yet been furnished you." This Ordinance, then, has not yet been proved to your Lordship to be, as it purports, for the better; for the Ordinance is unnecessary if this is not what is meant by the further administration of justice within Sierra Leone.

Then, for aught shown to the contrary, its end must be some other than that mentioned in the title. Your petitioners beg to say that this other end, the very reverse of the one mentioned in the Ordinance, is, in our belief, the crushing out of us, if it be possible now, the spirit of liberty and freedom fostered by the constitution, and strengthened by no other of our institutions more than by this one of trial by jury which this measure would abolish, and the basely subjecting us to the lawless and arbitrary passions and acts of a few men who are alone restrained by the impartiality and absolute supremacy of our English laws and institutions from establishing here an *imperium in imperio*. And in support of this belief, your petitioners respectfully claim your Lordship's further attention while we bring to your notice certain facts and circumstances which preceded this Ordinance, and which to our minds are clearly related to it, and have unquestionably given rise to it. Several months back an extensive system of cruelly ill-treating the labouring classes of Her Majesty's subjects here by kicking, horsewhipping, and subjecting them to other brutal treatments, prevailed among many of the high officials of the Colony, until daily, boatmen, porters, grooms, and domestic servants were debased by these inhuman acts. This grievous state of things was reprobated by all Christian and unprejudiced men in the community. But no amelioration followed until some time after the arrival of a coloured gentleman of the English bar, who is now in England. The brutal treatment to which these people were subjected by their employers and social superiors was repeatedly brought under his notice, and he, at length, exerted himself in his professional capacity with a view of putting an end to these barbarities. Your petitioners are glad to say that this gentleman succeeded in checking the cruelties, but regret to say that he, in consequence, created a number of powerful and influential enemies to the system of trial by jury in civil actions, because actions when taken against the perpetrators of these cruelties would have to be tried by such a jury, and the guilty parties knew that before such a jury there was no chance of escaping with impunity after the committal of such outrages.

But the first individual whom the legal gentleman mentioned had to make sensible that British laws and the British constitution protect and are intended to protect as effectually, as thoroughly and as completely the poorest, humblest peasant, as the wealthiest, proudest peer, was no other than our colonial surgeon, Dr. Robert Bradshaw, who was examined before the "Select Committee on West Africa" last year, and said "the jury system works very well criminally, but in civil cases not so well, as there was a very general impression existing here that juries in civil cases, before they go into court, make up their minds." This gentleman had been guilty, your Lordship, of brutally ill-treating his groom, whom he severely horsewhipped one day, on the public wharf, and doubtlessly under the "very general impression existing here," prudently, and as reasonably as human juries must do under certain circumstances, made up his mind and got the action commenced against him compounded by the friends of the ill-treated man. The disgrace of this outrage, your Lordship, is heightened by the reflection that Mr. Bradshaw once occupied the judicial bench of the Colony. The present Queen's Advocate, Mr. Huggins, who was one of the legislators that passed the Ordinance in question, was Mr. Bradshaw's counsel. The next party whom the legal gentleman firstly referred to here, enlightened as Dr. Bradshaw was, and who on evidently similar grounds, made up his mind also, by getting an action commenced against him for cruelly ill-treating his servant, compounded, was our present Acting Colonial Secretary, A. Pike, Esq., one of the Legislative Members who passed Ordinance,

No. 4, of 1866. This gentleman was charged with having kicked his servant and flogged him with a rope, and otherwise ill-treated him. Our present Master of the Courts, T. Marston, Esq., was actually mulcted in the sum of 50 *l.* for ill-treating a poor man by cruelly beating and kicking him. In a small community like ours where, when such atrocious acts are committed, and by men the most conspicuous, and we can only say should be the most exemplary, the intelligence respecting the nature and all the circumstances of the barbarities committed flies, can be so speedily and directly communicated, would it be strange, your Lordship, if men were found who made up their minds with regard to the perpetrators of these acts? Would judges be able to silence the eternal conscious voice of justice in their breast in such cases any more than jurymen, your Lordship? And if the intelligence that a jury received were proved to have been untrue, are they not as liable at the very least to correct their opinions, as a judge or two judges whose opinions had been based upon information likewise false? However, your Lordship, immediately after the colonial surgeon compounded for the enormity mentioned, the Queen's Advocate, who, as we have stated, was the doctor's counsel, framed a bill introduced into Council, the effect of which was that persons bringing actions *ex delicto* in the Supreme Court, were to give security for costs.

It was concluded at once, and we think reasonably and justly, that this measure was only for the purpose of disabling poor men who had been ill-treated like those above alluded to, by the rich and powerful, from bringing their cases in future before the Supreme Court, and subjecting them to the greatest atrocities of men of arbitrary will and ungovernable passions, while they would gratify their dispositions with impunity, virtually. Strenuously, therefore, and righteously, in your petitioners' opinion, this Bill was opposed. It was pertinaciously accompanied by the deprecating hue and cry of the impartial and justice-loving community. Two petitions were successively forwarded against it to the local Government, by the community generally; and the press of the Colony, both here and in England, endorsed and sustained the sentiments in those petitions regarding it.

It ultimately fell, after a lengthened struggle on the part of its authors, and the sparse number of its supporters, before this strong, decided, and determined weight of just opposition brought to bear against it. Nearly a year has gone by, and no other public measure has been adopted all this while to enforce its pernicious principles in the community until now, in 1866, when by this Ordinance, No. 4 of 1866, these principles are again sought in a more ruinous and extensive manner to be enforced against the community. From and under the foregoing disgraceful circumstances, your Lordship, your petitioners believe this Ordinance has arisen.

And can so excessively objectional a measure, originating from such unworthy causes, ever obtain your Lordship's countenance or support?

Your petitioners trust that they can confidently assert, on your Lordship's as well as Her gracious Majesty's advisers' part—never.

Your petitioners do not believe that your Lordship needs to be reminded that after the impartial, searching, and full inquiry made during last year by the Select Committee on the West Coast of Africa, into African affairs, and the very marked and careful attention which they gave to the subject of the working of the judicial system in Sierra Leone, especially to the portion relating to trial by jury, the very able and eminent gentlemen composing that Committee did not feel that they would be justified in recommending the abolition of trial by jury here in civil cases. Nor need we draw your Lordship's attention to the very important evidence of Sir B. Pine, who for seven years resided here, filling meanwhile the highest judicial offices, and those which rendered him best qualified to speak on this subject. Sir B. Pine said he found no difficulty, when he was chief justice here, in getting the juries to exercise their functions fairly. They did it fairly on the whole; pure negroes sat there. With respect to his answer to Question No. 3179, put by Mr. Chichester Fortescue, the consideration that Sir B. Pine has been from Sierra Leone for about 17 years, involves an effectual reply to his answer, which, however, need not be expressed.

However, your Lordship's petitioners would draw your attention to the peculiar adaptation of the jury system to this Colony, whose inhabitants are not British, and other subjects of civilised States only, but many of them subjects of the surrounding countries. Your Lordship will then perceive at once the superiority of trial by jury here over every other plan for the administration of justice. It is impossible that a judge or two judges could, without the assistance of a jury, adjudicate justly in many civil actions which would be brought before them here, and the most wide-spread and serious dissatisfaction would certainly be the result of their erroneous judgments.

Before concluding, your petitioners would request your Lordship, in the event of any facts which you may deem material being urged against any matter or circumstance connected with this petition, that an opportunity be afforded them to reply.

And now, your Lordship, seeing that this Ordinance, No. 4 of 1866, is destructive of your petitioners' rights and liberties; that it abolishes the civil branch of the most precious institution of the Colony, viz., trial by jury in civil actions; that no justifiable reasons whatever have been adduced for such abolishment; that this Ordinance never proceeded from the people, is contrary to their wishes, and detested by them; that the most illegal and unconstitutional

stitutional means have been used in bringing it about; that it cannot be shown to be for the better administration of justice, and that, on the contrary, facts and circumstances which clearly seem related, and to have given rise to it, stamp it with the characteristics of an infamous party measure. Your Lordship's petitioners humbly pray that for all and singular of these reasons, or for whatever portion of them you may approve, with such others as will readily suggest themselves to your Lordship's mind, you will advise the non-confirmation and withdrawal of Ordinance No. 4 of 1866 to Her gracious Majesty, or those of Her Ministers whom it may concern, as well as duly lay this our petition before them.

And your Petitioners, as in duty bound, will ever pray.

Signed by *J. B. Pratt*, Chairman,

And by about 773 others.

Sierra Leone, 12 January 1867.

— No. 8. —

(No. 27.)

EXTRACT of a DESPATCH from Governor *Blackall* to the Right Honourable the Earl of *Carnarvon*.

Government House, Sierra Leone,
22 March 1867.

My Lord, (Received, 20 April 1867.)

* Page 30.

1. I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, No. 105,* of 23rd February, regarding the Ordinances lately passed to make provision for the administration of justice in this Colony, and in reference to certain allegations contained in a petition against Dr. Bradshaw, Mr. Pike, and Mr. Marston, of cruelty to natives, calling upon me for a full and definite statement of the facts which rendered such allegations possible, and which appear to have been of public notoriety.

Question 644, and following.

2. With regard to Dr. Bradshaw, I presume the special matter referred to was a case quoted by Colonel Ord in his evidence before the Committee of the House of Commons, to show the fear that existed here of facing a jury. In November 1864, Dr. Bradshaw was in attendance upon me at the "Cape House," which is reached by water; and on his return to the quay, his horse was generally brought down to meet him; on one occasion he was caught in a tornado on his way back to Freetown; and on landing, he found that his groom had left his horse half-tied up, near the wharf, not under cover; his saddle completely saturated, and half of one of the reins chewed by the horse; the groom himself having taken shelter. I may observe, that the consequence of getting on a wet saddle in this country entails an almost certain fever; and Dr. Bradshaw had still on that day his town visits to make. The man came up just as Dr. Bradshaw got on his horse; and he admits that in his excitement he did give the man one cut with his ordinary riding whip. The servant immediately ran away—never returned to his service; and two days afterwards, Dr. Bradshaw was served by Mr. Rainy with a writ for a civil action, the damages being laid at 200*l.* Dr. Bradshaw in vain endeavoured to find the servant, to whom he would have been willing to pay any reasonable compensation; and ultimately, sooner than face a jury, after the example in Mr. Marston's case, to which I shall presently advert, Dr. Bradshaw paid to Mr. Rainy, not to the man, whom he never again saw, the sum of 30 *l.*

3. The second case referred to is that of Mr. Pike: in this case, the complainant was employed as a watchman; and one evening Mr. Pike had seen him arriving on duty at 8 p. m.; but on returning at 11 p. m., not only was the man absent, but the gate of the premises was locked, and Mr. Pike could not get into his own house. At that time Mr. Pike, as Marshal of the Mixed Commission Court, had a considerable sum of public money in his house; and he was rather alarmed lest there should be some foul play; and the man coming up soon after, and not giving a satisfactory reply as to his reasons for leaving his post, and locking Mr. Pike out of his own premises, he did strike the man with his fist, and gave him a blow across the back with his stick. This man remained at his duty until the following day, when Mr. Rainy got hold of him; but Mr. Pike compromised the matter himself with the man for the sum of 10 *l.*

4. In

4. In Mr. Marston's case, a man had entered his premises, the door-steps being within an inclosure, to seek payment of a debt due to him by one of Mr. Marston's servants. The servant was out; but the man persisted in sitting down on the door-steps, and making so much noise that Mr. Marston could not proceed with his business; the man was asked several times to go away, but refused; and eventually Mr. Marston forced him to the gate, and as he went out assisted his exit with his foot; an action was immediately taken by Mr. Rainy, and the jury gave 50 *l.* damages. Mr. Marston was urged by his friends to move for a new trial, but he refused, as a new trial would only have been to a jury, imbued with the same prejudices and subject to the same influences as the first, and entailed upon him further expense.

5. I hope your Lordship will not imagine that I am an apologist for public officers forgetting themselves, as on the three occasions quoted; but I deny altogether that there was any "brutality" evinced; and certainly great provocation was given, and, as Colonel Ord observed before the Committee, they were cases which in England would have been settled in a police court; but I must say that this reign of terror, for I can call it nothing less, demoralised a large amount of the population. I have myself witnessed every kind of irritating insult offered to Europeans by natives, to endeavour to provoke a blow and a consequent civil action. This has been remarked on in every publication by authors who have visited this coast, and I may more particularly allude to Captain Burton's, Mr. Winword Reade's, and Captain Hewett's works.

I have, &c.
(signed) *Samuel Blackall*,
Governor in Chief.

Despatches from the Secretary of State.

— No. 1. —

(No. 60.)

No. 1.
Right Hon. the Earl of Carnarvon to Governor Blackall.
9 October 1866.
* Page 3.

Copy of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor *Blackall*.

Sir, Downing-street, 9 October 1866.

I have the honour to acknowledge the receipt of your Despatch, No. 39,* of the 19th of May last, in which you forwarded draft Ordinances framed by Chief Justice Carr and by Mr. Huggins, respectively, with a view to carry out the new judicial arrangements which are proposed for the West Coast of Africa.

These drafts have been carefully revised in this office with the assistance of Chief Justice Carr, and I now enclose drafts of these Ordinances in the shape in which they now may be at once passed.

The first Ordinance, No. 1, "for establishing courts of civil and criminal justice within the Settlements of the Gambia, the Gold Coast, and of Lagos," will require to be enacted separately by the Legislatures of each of those three Settlements.

The other Ordinances, Nos. 2 and 3, will require enactment only by the Legislature of Sierra Leone.

I have, &c.
(signed) *Carnarvon*.

— No. 2. —

(No. 104.)

No. 2.
Right Hon. the Earl of Carnarvon to Governor Blackall.
23 February 1867.

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor *Blackall.*

Sir, Downing-street, 23 February 1867.

I HAVE laid before the Queen the Ordinances specified in the annexed Schedule for making further provision for the administration of justice in the West African Settlements, which were forwarded to me in the Despatches noted in the margin, and I am commanded to inform you that Her Majesty has been pleased to allow and confirm these Ordinances.

I have at the same time to convey to you my approval of the suggestion contained in your Despatch, No. 25,* of the 8th December, that the chief magistrates who shall be appointed to carry out the duties enjoined in the Gambia and Gold Coast Ordinances, shall also perform the duties of police magistrates.

* Page 10.
Sierra Leone, No. 88, 21 Nov. 1866, p. 4.
Gambia, No. 25, 8 Dec. 1866, p. 10.
Gold Coast, No. 59, 15 Dec. 1866, p. 15.
Lagos, No. 39, 15 Dec. 1866, p. 13.

I have, &c.
(signed) *Carnarvon.*

SCHEDULE of ORDINANCES for making further Provision for the Administration of Justice in the West African Settlements.

Sierra Leone.—No. 4; 16 November 1866.

AN Ordinance to make further provision for the administration of justice within the Settlement of Sierra Leone and its dependencies.

Sierra Leone.—No. 5; 16 November 1866.

An Ordinance for establishing a Court of Summary Jurisdiction within the Settlement of Sierra Leone.

Gambia.—No. ; 26 November 1866.

An Ordinance to make better provision for the administration of justice within the Settlements on the River Gambia and its dependencies.

Gold Coast.—No. 9; 21 November 1866.

An Ordinance to make better provision for the administration of justice within the Settlement of the Gold Coast and its dependencies.

Lagos.—No. 7; 1 December 1866.

An Ordinance to make better provision for the administration of justice within the Settlement of Lagos and its dependencies.

— No. 3. —

(No. 105.)

No. 3.
Right Hon. the Earl of Carnarvon to Governor Blackall.
23 February 1867.
† *See* above.

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor *Blackall.*

Sir, Downing-street, 23 February 1867.

IN my Despatch, No. 104,† of this date, I conveyed to you Her Majesty's confirmation of the Ordinances recently passed to make provision for the administration of justice in Her Majesty's West African Settlements. I did not advise Her Majesty to confirm the Ordinance No. 4, which abolishes trial by jury in civil cases in Sierra Leone, without fully considering the petitions addressed to me

me by inhabitants of that Colony, and enclosed in your Despatches, No. 89,* of the 21st November, and No. 6,† of the 14th of January.

* Page 18.
† Page 20.

I need hardly say that I fully appreciate the advantages of this mode of trial whenever it can be prudently applied; but the decided opinions which are expressed by yourself and the Chief Justice, which are shared, as you inform me, by the educated portion of the community, and which are supported by statements made before a recent Committee of the House of Commons, and, I must add, by considerable antecedent probability, convince me that I should not be consulting the true interest of the Colony by maintaining the existing system. Of this you will inform the petitioners.

But while I have arrived at this conclusion on the merits of the law, I cannot refrain from expressing my regret at the manner in which it was passed. You admit that it was read three times at one sitting, and you do not deny the statement that no public notice of it was given before it was so read.

You must clearly understand that it is only in cases of unforeseen urgency (a public danger such as obviously did not exist in the present case) that you are justified in taking this course. The greater the powers which are entrusted to the Government of a Crown Colony, the more imperative it becomes to avoid any mode of proceeding which has the appearance of taking the community by surprise, and preventing the fair expressions of their objections to any proposed legislation.

I must also express my surprise that you should have contented yourself with a general denial of the charges of general cruelty to the labouring classes, which are brought against the public officers of the Colony, without noticing these particular cases where specific acts of that kind are alleged against Mr. Bradshaw, Mr. Pike, and Mr. Martin. I admit that general accusations are sufficiently met by general denials; but the definite allegation of matters which appear to have been of public notoriety required, and I think still require, from you a full and definite statement of the facts which rendered such allegations possible.

Such a statement I shall therefore expect from you.

I have, &c.
(signed) *Carnarvon.*

Copy of a LETTER from *John Carr*, Esq., Chief Justice of *Sierra Leone*, to Sir *Frederic Rogers*, Bart.

John Carr, Esq. to Sir Frederic Rogers, Bart. 16 February 1867.

7, Bennett Park, Blackheath,
16 February 1867.

Sir,

I have the honour to return herewith the petition from Sierra Leone against the confirmationof Ordinance No. 4, lately passed by the Legislative Council of that Settlement. The petitioners appear to be principally marksmen who could hardly have understood the language used in the petition. The objection seems to be against the 11th section of the Ordinance, which provides that actions at law shall be tried by one or more of the judges of the Supreme Court, without a jury. This provision has not been made without due consideration.

By referring to the Report of the Select Committee appointed in 1865, to consider the state of the British Settlements on the coast, it will be seen that Colonel Ord, the Government Commissioner, and other witnesses examined before the Committee, stated it to be their opinion that some alteration was necessary to improve the administration of justice under the present jury system. They thought it worked fairly, on the whole, in criminal cases, but not in civil causes. In the Draft Report prepared by the Chairman of the Committee, it will also be seen that the opinion is expressed that trial by jury was inapplicable in many cases.

My own experience on the Coast leads to the same conclusion. In civil cases it is a system unsuited to the present condition of these Settlements. It is uncertain in its results, and attended with heavy and unnecessary expense. Further, the number of qualified jurors is very limited, and most of them but very imperfectly

fectly understand the English language. They are also usually known to the litigating parties, and they are liable to be swayed by the views of the local attornies who practice in the Courts both as attornies and advocates. Another disturbing cause to the fair administration of justice under this system is to be found in the numerous tribes and races inhabiting these Settlements, their clanship, and the jealousies existing between them. For these and other reasons it is believed many persons prefer to compromise their claims, or to desist from prosecuting them, rather than submit their cases to the decisions of juries on the Coast.

In conclusion, I would beg leave to refer to the 12th section of the Ordinance, providing that, on the trial of all civil causes in the Supreme Court, the evidence given at the trial shall be taken down in writing by the officer of the Court. With this provision for taking down the evidence, and with an appeal to Her Majesty in Council, I apprehend there is ample security that justice will be fairly administered by the judges of the Court, and greater satisfaction given than by the present jury system. I may add, suits where the damages do not exceed 100 *l.* are now tried by the Chief Justice of the Settlement without a jury, under an Ordinance passed in 1864.

Respectfully submitting these observations for the consideration of the Earl of Carnarvon,

I have, &c.
(signed) *John Carr*,
Chief Justice of Sierra Leone.

SIERRA LEONE, &c.

COPIES of the ORDINANCES, 1866, relative to the ADMINISTRATION of JUSTICE at *Sierra Leone* and in the other West African Settlements; of the PETITIONS of the People of *Sierra Leone* against the Abolition of TRIAL by JURY; and, of CORRESPONDENCE on the Subject between Her Majesty's Government and the Governor or the Chief Justice.

(*Mr. Buxton.*)

Ordered, by The House of Commons, *to be Printed,*
5 *April* 1867.

197.

Under 4 *oz.*

VICTORIA.

RETURN to an Address of the Honourable The House of Commons, dated 29 March 1867;—*for*,

"COPY of CORRESPONDENCE respecting and arising from the Non-enactment of the APPROPRIATION ACT in *Victoria*, 1865, and the RECALL of the GOVERNOR of that COLONY."

Colonial Office, 21 May 1867.

C. B. ADDERLEY.

(*Earl of Bective.*)

Ordered, by The House of Commons, *to be Printed*, 23 *May* 1867.

SCHEDULE.

— I. —

CORRESPONDENCE between the GOVERNOR of VICTORIA and the SECRETARY of STATE for the COLONIES.

DESPATCHES FROM THE GOVERNOR.

No. in Series.	Number and Date.	SUBJECT.	Page.
1	25 April 1866	Relative to Passage Allowance to the Governor of Victoria on his retirement from the Government.	1
2	7 May 1866 (No. 59.)	Forwards Addresses to himself from the Legislative Council, relative to the delay in communicating to them Mr. Cardwell's Despatch, No. 15 of 25th January, as he had been directed to do.	2
3	7 May 1866 (Separate.)	Resolutions of Assembly, awarding Grant of 20,000 *l.* to Lady Darling, with Governor's Message.	3
4	7 May 1866 (No. 60.)	Petitions to the Queen expressing regret at the recall of Governor Darling.	4
5	7 May 1866 (No. 61.)	Complimentary Address to Governor on his recall - - -	20
6	7 May 1866 (No. 62.)	Complimentary Addresses to Governor on leaving the Colony -	21
7	7 May 1866 (No. 63.)	Further as to the grounds of his recall; vindicates his conduct	26
8	26 May 1866 (No. 6.)	Non-collection of Customs Duties, and Immigration Clause of Land Act; forwards Copies of Messages from Council, and Replies thereto, which he intends to send in a few days.	27
9	26 May 1866 (No. 7.)	Address to the Queen from the Legislative Assembly, praying Her Majesty to sanction a vote of 20,000 *l.* to Lady Darling.	29
10	26 May 1866 (No. 8.)	Judgments in action for the recovery of Customs Duties; forwards copy of a Minute of Attorney General, stating the intention of Government to pay at once these amounts.	29
11	26 May 1866 (No. 9.)	Petition to the Queen from Mr. Eckroyd, praying that judgment obtained by him in the Supreme Court may be paid; states that the Petition was received too late for report and transmission by present mail, but that as the Attorney General has now intimated to Mr. Eckroyd that the money will be paid, the delay is immaterial.	30
12	21 June 1866 (No. 10.)	Uncollected Customs Duties. With reference to previous Despatch of 26th May, transmits amended answer to the Council, in reply to their Address as to uncollected Customs Duties, and stating that a Commission has issued for inquiry into the subject.	30
13	25 June 1866 (No. 14.)	Memorials to the Queen. Transmits a Memorial from the inhabitants of the shire of Bellerine, and another from certain of Her Majesty's subjects in the township of Koroit, expressing sorrow at the recall of Sir C. Darling.	32
14	18 Oct. 1866 (No. 17.)	Mr. Eckroyd's Petition to the Queen for the recovery of Customs Dues.	34

DESPATCHES FROM THE SECRETARY OF STATE.

No. in Series.	Number and Date.	Subject.	Page.
1	31 July 1866 (No. 9.)	Acknowledging General Carey's Despatch (No. 9) of the 26th May, stating that a Petition had been received from Mr. Eckroyd, of Melbourne.	35
2	6 Aug. 1866 (No. 11.)	Acknowledging the various Petitions enclosed in Sir C. Darling's Despatches (Nos. 61 and 62) of the 7th May.	35
3	6 Aug. 1866 (No. 12.)	Acknowledging General Carey's Despatch, enclosing Copies of two Messages from the Legislative Council.	35
4	7 Aug. 1866 (No. 13.)	Acknowledging General Carey's Despatch (No. 8) of the 26th May, enclosing a Minute expressing the intention of the Government of Victoria to pay at once the amount awarded to the Petitioners by the Supreme Court in the actions for the recovery of Customs Duties.	36
5	8 Aug. 1866 (No. 14.)	Acknowledging the various Petitions enclosed in Sir C. Darling's Despatch (No. 60) of the 7th May.	36
6	9 Aug. 1866 (No. 15.)	Acknowledging Sir C. Darling's Despatch (No. 63) of the 7th May, on the subject of his recall.	36
7	10 Aug. 1866 (No. 16.)	Acknowledging Sir C. Darling's Despatch (No. 59) of the 7th May, on the subject of an Address from the Legislative Council.	37
8	4 Sept. 1866 (No. 25.)	Acknowledging receipt of the Addresses from certain inhabitants of Bellerine, expressing regret at Sir C. Darling's removal.	37
9	14 Sept. 1866 (No. 28.)	Acknowledging General Carey's Despatch (No. 10) of the 21st June, relative to the Inquiry into the subject of certain Duties.	37
10	8 Dec. 1866 (No. 47.)	Stating, that, for the reasons mentioned, that Her Majesty could not be advised to sanction the acceptance by Lady Darling of the sum of 20,000 *l.* voted by the Legislature.	37
11	25 Jan. 1867 (No. 4.)	Enclosing copy of a Communication made to Sir Chas. Darling the subject of the above Despatch (No. 47).	38
12	4 Feb. 1867 (No. 10.)	Enclosing further Correspondence with Sir C. Darling on the same subject.	38

— II. —

CORRESPONDENCE between the Colonial Office and Sir *Charles Darling*, since quitting *Victoria*.

No.			Page.	No.			Page.
1	Sir Charles Darling	16 May 1866	39	34	Sir F. Rogers - -	3 Nov. 1866	89
2	Ditto - - -	16 May „	41	35	Sir Charles Darling	30 Oct. „	89
3	Ditto - - -	28 Aug. „	53	36	Sir F. Rogers - -	11 Dec. „	91
4	Mr. Elliot - -	8 Sept. „	53	37	Sir Charles Darling	31 Oct. „	91
5	Sir Charles Darling	28 Aug. „	54	38	Sir F. Rogers - -	6 Nov. „	92
6	Mr. Elliot - -	12 Sept. „	55	39	Sir Charles Darling	4 Nov. „	92
7	Sir Charles Darling	11 Sept. „	55	40	Mr. Elliot - -	29 Nov. „	95
8	Mr. Elliot - -	20 Sept. „	61	41	Sir Charles Darling	22 Nov. „	95
9	Sir Charles Darling	12 Sept. „	61	42	Mr. Adderley - -	8 Jan. 1867	96
10	Ditto - - -	12 Sept. „	62	43	Sir Charles Darling	3 Dec. 1866	97
11	Mr. Elliot - -	22 Sept. „	63	44	Mr. Adderley - -	14 Dec. „	98
12	Sir Charles Darling	12 Sept. „	63	45	Sir Charles Darling	12 Dec. „	98
13	Mr. Adderley - -	12 Oct. „	64	46	Ditto - - -	12 Dec. „	98
14	Sir Charles Darling	13 Sept. „	65	47	Sir F. Rogers - -	26 Dec. „	99
15	Ditto - - -	15 Sept. „	65	48	Sir Charles Darling	11 Jan. 1867	99
16	Ditto - - -	15 Sept. „	66	49	Sir F. Rogers - -	1 Feb. „	100
17	Ditto - - -	19 Sept. „	68	50	Sir Charles Darling	14 Jan. „	105
18	Sir F. Rogers - -	25 Sept. „	68	51	Sir F. Rogers - -	25 Jan. „	107
19	The Earl of Carnarvon	19 Sept. „	69	52	Sir Charles Darling	16 Jan. „	107
20	Sir Charles Darling	21 Sept. „	69	53	Mr. Adderley - -	1 Feb. „	108
21	Ditto - - -	21 Sept. „	70	54	Sir Charles Darling	18 Jan. „	108
22	Sir F. Rogers - -	24 Sept. „	71	55	Mr. Adderley - -	31 Jan. „	109
23	Sir Charles Darling	26 Sept. „	71	56	Sir Charles Darling	28 Jan. „	109
24	Ditto - - -	28 Sept. „	71	57	Mr. Adderley - -	4 Feb. „	111
25	Sir F. Rogers - -	25 Oct. „	73	58	Sir Charles Darling	31 Jan. „	111
26	Sir Charles Darling	12 Oct. „	73	59	Mr. Adderley - -	14 Feb. „	111
27	Sir F. Rogers - -	23 Oct. „	83	60	Sir Charles Darling	4 Feb. „	111
28	Sir Charles Darling	15 Oct. „	83	61	Sir F. Rogers - -	11 Feb. „	112
29	Ditto - - -	17 Oct. „	85	62	Sir Charles Darling	4 Feb. „	116
30	Sir F. Rogers - -	30 Oct. „	86	63	Ditto - - -	20 Feb. „	117
31	Sir Charles Darling	20 Oct. „	86	64	Mr. Adderley - -	4 Mar. „	117
32	Sir F. Rogers - -	6 Nov. „	87	65	Sir Charles Darling	5 Mar. „	117
33	Sir Charles Darling	24 Oct. „	87	66	Mr. Adderley - -	7 Mar. „	118

— I. —

CORRESPONDENCE between the GOVERNOR of VICTORIA and the SECRETARY of STATE for the COLONIES.

Despatches from the Governor.

— No. 1. —

No. 1.
Governor Sir C. H. Darling, K.C.B., to the Right Hon. Edward Cardwell, M.P.
25 April 1866.

COPY of a DESPATCH from Governor Sir *C. H. Darling*, K.C.B., to the Right Honourable *Edward Cardwell*, M.P.

Government House, Toorak, 25 April 1866.
(Received, 18 June 1866.)
(Answered, 19 September 1866, page 69.)

Sir,

YOUR Despatch, No. 25*, of the 26th February last, virtually dismisses me from Her Majesty's service, since it conveys not the slightest indication of an intention to offer me other employment; while it requires me at the same time to surrender my government in a manner which aggravates immeasurably the painful consequences to me of the step you have thought fit to adopt.

* *Vide* Papers presented March 1866, page 108.

2. The announcement has not even been accompanied by the intimation which the rules of the service in such cases render necessary, that I am at liberty to draw for the regulated amount of passage money to which a Governor is entitled upon retiring from his government. Whether the mode of my "dismissal," to use the phrase which was employed in the telegraphic message, and has now circulated throughout Australasia, implies that I am disentitled even to that degree of consideration, I know not; but if the claim be admissible, I have the honour to request that you will be pleased to move the Lords of the Treasury to direct that the sum of 800 *l.* be issued to my agents, Messrs. Ridley, Son & Co., Upper John-street, Liverpool, upon their application to that effect.

3. The degradation and stain upon my official reputation, which are the inevitable consequences of the measure you have advised Her Majesty to adopt, are such as no act of patronage which it is in the power of the Secretary of State for the Colonies to exercise can possibly repair.

4. Even if it were contemplated again to offer me employment, I could not, without great disadvantage, enter upon the administration of any other government, considering the manner of my removal from that which I am about to relinquish; and there is none which, owing to the deliberate and avowed intention of the Legislature of this Colony to grant a salary which should enable the Governor to accumulate from year to year a portion of his income, after meeting liberally the just demands upon his high position, could possibly compensate me for the heavy pecuniary loss (without adverting to other injurious effects) which my removal has entailed on me.

5. Three years and a half of the period for which a Colonial Government is usually held, remain unexpired. After making ample allowance for the expense of entertaining, I am deprived of the means by which I and my family would, as a necessary incident of the position of the Governor, have during the period referred to lived in a style corresponding to that of a gentleman with 5,000 *l.* a year in England, and also of an accumulated surplus, which, at the end of that

period, would have probably amounted to about 10,000 *l.* I estimate the pecuniary injury I sustain by my removal, as can be gathered from accounts and other documents, at between 25,000 *l.* and 30,000 *l.*

6. This blow, too, has fallen at a moment when nearly three years are still wanting to complete the age necessary to enable me to advance my claim for a pension.

7. A heavy outfit of plate, &c., and establishment of carriages and horses, the cost of which I had just covered, will be sold at a great sacrifice; and I do not exaggerate when I say, that a service of 18 years and a half will have terminated by leaving me, so far as official emoluments are concerned, precisely where I was when I began.

8. With all the respect that is due to your high office, I must again express my confident hope that I shall not appeal in vain to Her Majesty and to the Imperial Parliament to obtain some redress for the public and private wrong I deem myself to have sustained by an act of authority on your part, the grounds of which being distinctly stated, are, I am persuaded, insufficient to justify it, even if they were not so inadequately supported by the facts.

I have, &c.
(signed) *C. H. Darling.*

— No. 2. —

(No. 59.)

No. 2.
Governor Sir C. H. Darling, K.C.B., to the Right Hon. Edward Cardwell, M.P.
7 May 1866.

COPY of a DESPATCH from Governor Sir *C. H. Darling*, K.C.B., to the Right Honourable *Edward Cardwell*, M.P.

Government House, Melbourne, 7 May 1866.
(Received, 20 July 1866.)
(Answered, No. 16, 10 August 1866, page 37.)

Sir,

I HAVE the honour to forward herewith the copy of an address to me from the Legislative Council, relative to a delay which has taken place in communicating to that body your Despatch, No. 15,* of the 26th January last, together with a copy of a reply which I returned to that address.

No. 1.

No. 2.
7 May 1866.

I have, &c.
(signed) *C. H. Darling.*

Enclosure 1, in No. 2.

Encl. 1, in No. 2.

To His Excellency Sir *Charles H. Darling*, Knight Commander of the most Honourable Order of the Bath, Governor and Commander in Chief of the Colony of Victoria, &c. &c. &c.

May it please your Excellency,

WE, Her Majesty's most dutiful and loyal subjects, the Members of the Legislative Council of Victoria, in Parliament assembled, beg to thank your Excellency for your message, communicating Her Majesty's gracious reply to our Address of the 21st September 1865.

We venture to call attention to the circumstance that this reply, although only made known to us on the 1st May 1866, arrived in the Colony on the 17th March, upwards of six weeks previously; and as we conceive that this delay raises the important question, whether the Governor of a Colony is invested with discretionary power to withhold or communicate the replies of our Sovereign to addresses from her people, we pray your Excellency to forward a copy of this Address to Her Majesty's Secretary of State for the Colonies, with a view to obtain from that Minister a decision upon the question.

We would remind your Excellency that this House met on the 20th, 21st, 22nd, 27th, 28th, and 29th March, and on the 4th, 11th, 12th, 17th, and 24th April.

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* *Vide* Papers presented, March 1866, page 107.

Enclosure 2, in No. 2.

Encl. 2, in No. 2.

THE Governor acknowledges the Address of the Legislative Council upon the subject of the delay which took place in communicating to the Council the Secretary of State's Despatch, dated 26th January last, No. 15, and, in compliance with the request of the Council, will forward a copy thereof to Her Majesty's Secretary of State.

The Governor acquaints the Council that, when he received the Despatch in question, he was without a Ministry, the present Ministry having resigned, and the Honourable Mr. Fellows being engaged in the attempt to form a new administration. Upon the failure of that effort, Mr. McCulloch's Ministry resumed their offices conditionally, for the express purpose of endeavouring to effect such an accommodation of the difference existing between the two Houses as might lead to the resumption of payments from the Public Treasury.

Neither the Secretary of State's Despatch, No. 15, nor those numbered 107 and 11—the simultaneous publication of which was directed by the Secretary of State—have any reference to the questions then at issue between the Houses. It was nevertheless probable that they would occasion considerable discussion, and the Governor deemed it a paramount duty not to take any step which might tend in that direction, or retard the adjustment of the remaining points in dispute. Almost at the moment when the objects in view had been accomplished, the Governor received the Secretary of State's Despatch, announcing his recall from the government of the Colony.

It then appeared desirable to communicate to both Houses of Parliament all the papers connected with the case. These were prepared for transmission with a message dated the 20th April, and the subsequent delay has been, as the Governor understands, occasioned by the time inevitably occupied in printing the documents, in accordance with the usual practice, before they were laid upon the tables of the two Houses.

The Governor would further observe, that it is not, he believes, in accordance with Parliamentary practice to lay before the Legislature important documents calculated to lead to discussion and party contests, either while a Ministry is in progress of formation, or while only holding office provisionally, as was the case with the present Ministry, previously to the passing of the Consolidated Revenue Act.

Government Offices,
7 May 1866.

C. H. Darling,
Governor.

— No. 3. —

(Separate.)

No. 3.
Governor Sir C. H. Darling, K.C.B., to the Right Hon. Edward Cardwell, M.P.
7 May 1866.

COPY of a DESPATCH from Governor Sir *C. H. Darling*, K.C.B., to the Right Honourable *Edward Cardwell*, M.P.

Government House, Melbourne, 7 May 1866.

Sir, (Received 20 July 1866.)

PERCEIVING that resolutions, of which the enclosed are copies, and which embody the substance of resolutions passed at numerous public meetings of the inhabitants of the Colony, were last night reported by a Select Committee of the Legislative Assembly, I have felt it my duty, before leaving the Colony, to send to the Assembly a message, of which I beg to enclose a transcript herewith.

No. 1.

No. 2.

I have, &c.
(signed) *C. H. Darling.*

Enclosure 1, in No. 3.

Encl. 1, in No. 3.

THE Select Committee of the Legislative Assembly, appointed on the motion of Mr. Balfour, brought up yesterday evening the following Report:—

"The Select Committee appointed by your Honourable House on Thursday, 3rd May, to prepare an Address to his Excellency Sir Charles Henry Darling, and to consider and report on the steps this House should take with reference to his being relieved from his position as officer administering Her Majesty's Government in this Colony, have the honour to report to your Honourable House," as follows:

1.—That they have prepared an Address to his Excellency Sir Charles Darling, and they recommend it for adoption by your Honourable House.

2.—That in consideration of the services which his Excellency Sir Charles Darling ha rendered in the administration of the government of Victoria, from which he has been recalled for political reasons only, and seeing that his removal will entail upon his family very heavy pecuniary loss, they have agreed to recommend that a grant of 20,000*l.* be made to Lady Darling, for her separate use.

Committee Room, 4 May 1866.

Enclosure 2, in No. 3.

Message.

Encl. 2, in No. 3.

The Governor perceiving from the proceedings of the Legislative Assembly that a Select Committee of the House appointed to report on the steps the House should take with reference to the Governor's recall from the government of this Colony, have agreed to recommend that a Parliamentary Grant be made to Lady Darling, desires to express his deep and grateful appreciation of the generous consideration for his family evinced by the recommendation of the Committee.

But the Governor feels it to be his duty, while yet administering the government, to intimate that his family would not feel at liberty to accept the bounty of the Parliament and people of Victoria until the Governor shall have first ascertained whether Her Majesty may be pleased to signify any commands therein, and until he shall have respectfully submitted to Her Majesty his earnest petition that the whole of his conduct in the administration of the government of the Colony may be subjected to the most rigid enquiry and investigation.

Government House, Victoria,
5 May 1866.

(signed) *C. H. Darling,*
Governor.

—No. 4.—

(No. 60.)

No. 4.
Governor Sir C. H. Darling, K.C.B., to the Right Hon. Edward Cardwell, M.P.
7 May 1866.

Copy of a DESPATCH from Governor Sir *C. H. Darling*, K.C.B., to the Right Honourable *Edward Cardwell*, M.P.

Government House, Melbourne, 7 May 1866.
(Received, 20 July 1866.)
(Acknowledged, No. 14, 8 August 1866, page 36.)

Sir,

I beg to transmit herewith petitions to Her Majesty the Queen from public bodies and assemblages of the inhabitants of this Colony, as specified in the annexure to this Despatch; and in compliance with the desire of the Petitioners, I have the honour respectfully to request that their documents may be submitted to Her Majesty in the most acceptable manner.

I have, &c.
(signed) *C. H. Darling.*

Enclosures in No. 4.

List of Petitions.

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No. 1.

To the Queen's Most Excellent Majesty.

Most Gracious Sovereign,

We, Your Majesty's most loyal and devoted subjects, resident in the borough of Heathcote, and in the shire of M'Ivor, in Your Majesty's Colony of Victoria, in public meeting assembled, have learned with deep regret that Your Majesty has been advised by Your Majesty's Secretary of State for the Colonies to remove his Excellency Sir Charles Darling from this Government. We desire to inform Your Majesty that for the last 15 months unhappy differences have existed between the Legislative Council and the Legislative Assembly of this Colony, on the subject of their respective powers in dealing with our financial legislation; that throughout these differences the public opinion of the Colony, as expressed at elections and in the Assembly, has strongly declared itself on the side of the latter body; that his Excellency the Governor has, during these differences, been placed in a position of almost unexampled difficulty; that, by reason of his very limited power under our present Constitution Act, he is in no other way enabled to control or modify the action of his Ministers for the time being than by dismissing them and calling other persons to his councils; that, inasmuch as during the whole period over which these differences have extended the existing Government have possessed the confidence of the country and a large majority in the Assembly, Sir Charles Darling could only have changed his Ministers by calling to his Council persons who would at once have been met with a vote of want of confidence in the Assembly; that in such case the whole machinery of Government must have been paralysed, and the means of carrying on the public establishments stopped, by reason of the Assembly having resolved, and throughout adhered to their resolution, not to send up an Appropriation Bill to the Council until the claims of the Assembly to control the taxation of the Colony were acknowledged; that in dealing with this difficult political situation, his Excellency has, in the opinion of your Memorialists, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner, and that his tact and wisdom are shown by the result, inasmuch as the whole of these differences were terminated under his Excellency's government before his recall; that his Excellency's conduct has met with the general approbation of the colonists at large, as proved in the recent general election for the Assembly, in which election a majority of three to one was returned in favour of the Government. Your Memorialists, therefore, while deeply regretting that Your Majesty has been advised to take a step which has involved what we cannot but regard as a slight and injustice to Your Majesty's representative, Sir Charles Darling, must also express their sincere conviction that such result has been mainly brought about by partial and *ex parte* representations, which have been laid before Your Majesty's Secretary of State by persons disaffected to Parliamentary government in the Colony, and desirous of discrediting it in England; that under such circumstances your Memorialists cannot but deprecate, in the strongest terms, the unnecessary interference of Your Majesty's Secretary of State in the internal affairs of the Colony; and, whilst devotedly attached to Your Majesty's person, and earnestly desirous of maintaining our connection with Your Majesty's throne and the empire, yet respectfully submit to Your Majesty that we, a free community, will at all times feel it to be our duty to maintain in their integrity the constitutional rights and privileges which Your Majesty has been graciously pleased to confer on us.

And Your Majesty's Memorialists will ever pray.

Signed on behalf of the Meeting, held in the largest public room available, and numbering upwards of 200 persons,

James Hart, J. P., Chairman.

No. 2.

To the Queen's Most Excellent Majesty.

May it please Your Majesty,

We your Majesty's loyal and devoted subjects resident in the Electoral District of North Melbourne, in Your Majesty's Colony of Victoria, in public meeting assembled, have learned with deep regret that Your Majesty has been advised by Your Majesty's Secretary of State for the Colonies to remove his Excellency Sir Charles Darling from the Government. We desire to inform Your Majesty that, for the last 15 months, unhappy differences have existed between the Legislative Council and the Legislative Assembly on the subject of their respective powers of dealing with the financial legislation of the country; that throughout these differences public opinion, as expressed at elections and in the Assembly, has strongly declared itself on the side of the latter body; that his Excellency the Governor has, during these differences, been placed in a position of almost unexampled difficulty; that, by reason of his very limited power under

our present Constitution Act, he is in no other way able to control or modify the action of his Ministers than by dismissing them and calling others to his Councils; that, inasmuch as, during the whole period over which those differences have extended, the Government have possessed the confidence of the country generally and a large majority in the Assembly, Sir Charles Darling could only have changed his Ministers by calling to his Councils persons who would at once have been met by a vote of want of confidence in the Assembly; that in such a case the whole machinery of Government must have been paralysed, and the means of carrying on the public establishments stopped by reason of the Assembly having resolved, and throughout adhered to their resolution, not to send up an Appropriation Bill to the Council until the claims of the Assembly to control the taxation of the Colony were acknowledged; that, in dealing with this difficult political situation, his Excellency has, in the opinion of Your Memorialists, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner, and that his tact and wisdom are shown by the result, inasmuch as the whole of those differences were terminated under his Excellency's Government before his recall; that his Excellency's conduct has met with the general approbation of the colonists at large, as proved in the recent general election, in which election a majority of three to one were returned in favour of the Government. Your Memorialists, therefore, whilst deeply regretting that Your Majesty has been advised to take a step which has involved what we cannot but regard as a slight and injustice to Your Majesty's representative, Sir Charles Darling, must also express their sincere conviction that such result has been mainly brought about by partial *ex parte* representations which have been laid before Your Majesty's Secretary of State by persons disaffected to Parliamentary government in this Colony and desirous of discrediting it in England; that under such circumstances your Memorialists cannot but deprecate the unnecessary interference of Your Majesty's Secretary of State in the internal affairs of this Colony; and, whilst devotedly attached to Your Majesty's person, and earnestly desirous of maintaining our connection with Your Majesty's throne and empire, yet respectfully submit to Your Majesty that we will at all times feel it to be our duty to maintain in their integrity the constitutional rights and privileges which Your Majesty has been graciously pleased to confer upon us.

Humbly submitting this our respectful and dutiful expression of opinion upon the recent interference of Your Majesty's Secretary of State for the Colonies to Your Majesty's gracious consideration,

Your Memorialists will ever pray.

Joseph Story, Councillor of the City of Melbourne, Chairman,
on behalf of the Meeting.

No. 3.

To Her Most Gracious Majesty the Queen.

May it please Your Majesty,

We, Your Majesty's loyal and devoted subjects resident at Ballarat in Your Majesty's Colony of Victoria, in public meeting assembled, have learned with deep regret that Your Majesty has been advised by Your Majesty's Secretary of State for the Colonies, to remove his Excellency Sir Charles Darling from this Government.

We desire to inform Your Majesty that for the last 15 months unhappy differences have existed between the Legislative Council and the Legislative Assembly of this Colony, on the subject of their respective powers in dealing with our financial legislation; that throughout these differences the public opinion of the Colony, as expressed at elections and in the Assembly, has strongly declared itself on the side of the latter body; that his Excellency the Governor has, during these differences, been placed in a position of almost unexampled difficulty.

That by reason of his very limited power under our present Constitution Act, he is in no other way enabled to control or modify the action of his ministers for the time being than by dismissing them and calling other persons to his councils; that inasmuch as during the whole period over which these difficulties have extended the existing Government have possessed the confidence of the country and a large majority in the Assembly, Sir Charles Darling could only have changed his Ministers by calling to his Council persons who would at once have been met with a vote of want of confidence in the Assembly; that in such case the whole machinery of Government must have been paralysed, and the means of carrying on the public establishments stopped, by reason of the Assembly having resolved, and throughout adhered to their resolution, not to send up an Appropriation Act to the council, until the claims of the Assembly to control the taxation of the Colony were acknowledged; that in dealing with this difficult political situation, his Excellency has, in the opinion of your Memorialists, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner; and that his tact and wisdom are shown by the result, inasmuch as the whole of these differences were terminated under his Excellency's Government before his recall; that his Excellency's conduct has met with the general approbation of the colonists at large, as proved in the recent general election

election for the Assembly, in which election a majority of three to one was returned in favour of the Government.

Your Memorialists, therefore, while deeply regretting that Your Majesty has been advised to take a step which has involved what we cannot but regard as a slight and injustice to Your Majesty's representative, Sir Charles Darling, must also express their sincere conviction that such result has been mainly brought about by partial and *ex parte* representations which have been laid before Your Majesty's Secretary of State by persons disaffected to Parliamentary government in the Colony, and desirous of discrediting it in England.

That under such circumstances your Memorialists cannot but deprecate, in the strongest terms, the unnecessary interference of Your Majesty's Secretary of State in the internal affairs of the Colony; and, whilst devotedly attached to Your Majesty's person, and earnestly desirous of maintaining our connection with Your Majesty's throne and the empire, yet respectfully submit to Your Majesty that we, a free community, will at all times feel it to be our duty to maintain in their integrity the constitutional rights and privileges which Your Majesty has been graciously pleased to confer on us.

James McDowall, Chairman.

No. 4.

To Her Most Gracious Majesty the Queen.

May it please Your Majesty,

We, Your Majesty's loyal and devoted subjects, resident in Heidelberg, in Your Majesty's Colony of Victoria, in public meeting assembled, have learned with deep regret that Your Majesty has been advised by Your Majesty's Secretary of State for the Colonies to remove his Excellency Sir Charles Darling from this Government.

We desire to inform Your Majesty that for the last 15 months unhappy differences have existed between the Legislative Council and the Legislative Assembly of this Colony, on the subject of their respective powers in dealing with our financial legislation; that throughout these differences the public opinion of the Colony, as expressed at elections and in the Assembly has strongly declared itself on the side of the latter body; that his Excellency the Governor has, during these differences, been placed in a position of almost unexampled difficulty; that by reason of his very limited power under our present Constitution Act, he is in no other way enabled to modify or control the action of his Ministers for the time being, than by dismissing them and calling other persons to his Councils; that inasmuch as during the whole period over which these differences have extended the existing Government have possessed the confidence of the country and a large majority in the Assembly, Sir Charles Darling could only have changed his Ministers by calling to his Council persons who would at once have been met with a vote of want of confidence in the Assembly; that in such case the whole machinery of Government must have been paralysed, and the means of carrying on the public establishments stopped by reason of the Assembly having resolved, and throughout adhered to their resolution, not to send up an Appropriation Act to the Council until the claims of the Assembly to control the taxation of the Colony were acknowledged; that in dealing with this difficult political situation his Excellency has, in the opinion of your Memorialists, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner, and that his tact and wisdom are shown by the result; inasmuch as the whole of these differences were terminated under his Excellency's Government before his recall.

That his Excellency's conduct has met with the general approbation of the colonists at large, as proved in the recent general election for the Assembly, in which election a majority of three to one were returned in favour of the Government.

Your Memorialists, therefore, whilst deeply regretting that Your Majesty has been advised to take a step which has involved what we cannot but regard as a slight and injustice to Your Majesty's representative, Sir Charles Darling, must also express their sincere conviction that such result has been mainly brought about by partial and *ex parte* representations which have been laid before Your Majesty's Secretary of State by persons disaffected to Parliamentary government in the Colony, and desirous of discrediting it in England.

That under such circumstances your Memorialists cannot but deprecate in the strongest terms the unnecessary interference of Your Majesty's Secretary of State in the internal affairs of the Colony; and whilst devotedly attached to your Majesty's person, and earnestly desirous of maintaining our connection with Your Majesty's throne and the empire, yet respectfully submit to Your Majesty that we, a free community, will at all times feel it to be our duty to maintain in their integrity the constitutional rights and privileges which Your Majesty has been graciously pleased to confer on us.

Signed on behalf of, and by the authority of, the meeting held at Heidelberg, 28th April 1866,

C. H. Robinson, Chairman.

No. 5.

To Her Most Gracious Majesty the Queen.

May it please Your Majesty,

We, Your Majesty's loyal and devoted subjects, resident at Emerald Hill, in Your Majesty's Colony of Victoria, in public meeting assembled, have learned with deep regret that Your Majesty has been advised by Your Majesty's Secretary of State for the Colonies to remove his Excellency Sir Charles Darling from this Government.

We desire to inform Your Majesty that for the last 15 months unhappy differences have existed between the Legislative Council and the Legislative Assemby of this Colony on the subject of their respective powers in dealing with our financial legislation; that throughout these differences the public opinion of the Colony, as expressed at elections and in the Assembly, has strongly declared itself on the side of the latter body; that his Excellency the Governor has, during these differences, been placed in a position of almost unexampled difficulty; that by reason of his very limited power under our present Constitution Act, he is in no other way enabled to control or modify the action of his Ministers for the time being, than by dismissing them and calling other persons to his councils; that, inasmuch as during the whole period over which these differences have extended, the existing Government have possessed the confidence of the country and a large majority in the Assembly, Sir Charles Darling could only have changed his Ministers by calling to his Council persons who would at once have been met with a vote of want of confidence in the Assembly; that in such case the whole machinery of Government must have been paralysed, and the means of carrying on the public establishments stopped, by reason of the Assembly having resolved, and throughout adhered to their resolution, not to send up an Appropriation Bill to the Council until the claims of the Assembly to control the taxation of the Colony were acknowledged.

That, in dealing with this difficult political situation, his Excellency has, in the opinion of your Memorialists, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner; and that his tact and wisdom are shown by the result, inasmuch as the whole of these differences were terminated under his Excellency's government before his recall; that his Excellency's conduct has met with the general approbation of the Colonists at large, as proved in the recent general election for the Assembly, in which election a majority of three to one were returned in favour of the Government.

Your Memorialists, therefore, whilst deeply regretting that Your Majesty has been advised to take a step which has involved what we cannot but regard as a slight and injustice to Your Majesty's representative, Sir Charles Darling, must also express their sincere conviction that such result has been mainly brought about by partial and *ex parte* representations, which have been laid before Your Majesty's Secretary of State by persons disaffected to Parliamentary government in the Colony, and desirous of discrediting it in England.

That under such circumstances your Memorialists cannot but deprecate, in the strongest terms, the unnecessary interference of Your Majesty's Secretary of State in the internal affairs of the Colony; and, whilst devotedly attached to Your Majesty's person, and earnestly desirous of maintaining our connection with Your Majesty's throne and the empire, yet respectfully submit to Your Majesty that we, a free community, will at all times feel it to be our duty to maintain in their integrity the constitutional rights and privileges which Your Majesty has been graciously pleased to confer on us.

On behalf of the meeting,

Charles Ray, Chairman.

No. 6.

To Her Most Gracious Majesty the Queen.

May it please Your Majesty,

We, Your Majesty's loyal and devoted subjects, resident in Richmond, in Your Majesty's Colony of Victoria, in public meeting assembled, have learned with deep regret that Your Majesty has been advised by Your Majesty's Secretary of State for the Colonies to remove his Excellency Sir Charles Darling from this Government.

We desire to inform Your Majesty, that for the last 15 months, unhappy differences have existed between the Legislative Council and the Legislative Assembly of this Colony on the subject of their respective powers in dealing with our financial legislation.

That throughout these differences the public opinion of the Colony, as expressed at elections and in the Assembly, has strongly declared itself on the side of the latter body.

That his Excellency the Governor has, throughout these differences, been placed in a position of almost unexampled difficulty; that, by reason of his very limited power under

under our present Constitution Act, he is in no other way enabled to control or modify the action of his Ministers for the time being than by dismissing them and calling other persons to his Councils; that, inasmuch as during the whole period over which these differences have extended, the existing Government have possessed the confidence of the country and a large majority in the Assembly, Sir Charles Darling could only have changed his Ministers by calling to his Councils persons who would at once have been met with a vote of want of confidence in the Assembly; that in such case the whole machinery of Government must have been paralysed, and the means of carrying on the public establishments stopped, by reason of the Assembly having resolved, and throughout adhered to their resolution, not to send up an Appropriation Act to the Council until the claims of the Assembly to control the taxation of the Colony were acknowledged; that, in dealing with this difficult political situation, his Excellency has, in the opinion of your Memorialists, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner; and that his tact and wisdom are shown by the result, inasmuch as the whole of these differences were terminated under his Excellency's government, before his recall.

That his Excellency's conduct has met with the general approbation of the Colonists at large, as proved in the recent general election for the Assembly, in which election a majority of three to one were returned in favour of the Government.

Your Memorialists, therefore, whilst deeply regretting that Your Majesty has been advised to take a step which has involved what we cannot but regard as a slight and injustice to Your Majesty's representative, Sir Charles Darling, must also express their sincere conviction that such result has been mainly brought about by partial and *ex parte* representations which have been laid before Your Majesty's Secretary of State for the Colonies, by persons disaffected to Parliamentary government in the Colony, and desirous of discrediting it in England; that, under such circumstances, your Memorialists cannot but deprecate, in the strongest terms, the unnecessary interference of Your Majesty's Secretary of State in the internal affairs of the Colony; and, whilst devotedly attached to Your Majesty's person, and earnestly desirous of maintaining our connection with Your Majesty's Throne and the Empire, yet respectfully submit to Your Majesty that we, a free community, will at all times feel it to be our duty to maintain in their integrity the constitutional rights and privileges which Your Majesty has been graciously pleased to confer on us.

And your Memorialists humbly pray, that Your Majesty will be graciously pleased to reinstate his Excellency Sir Charles Darling in his official position as Governor of the Colony of Victoria.

Signed on behalf of the Meeting, 4th May 1866,
Michael Eynn, Chairman.

No. 7.

To Her Most Gracious Majesty the Queen.

May it please Your Majesty,

We, Your Majesty's loyal and devoted subjects resident in Your Majesty's Colony of Victoria, in public meeting assembled, have learned with deep regret that Your Majesty has been advised by Your Majesty's Secretary of State for the Colonies to remove his Excellency Sir Charles Darling from this Government.

We desire to inform Your Majesty that for the last 15 months unhappy differences have existed between the Legislative Council and the Legislative Assembly of this Colony, on the subject of their respective powers in dealing with our financial legislation; that throughout these differences the public opinion of the Colony, as expressed at elections and in the Assembly, has strongly declared itself on the side of the latter body; that his Excellency the Governor has, during these differences, been placed in a position of almost unexampled difficulty; that, by reason of his very limited power under our present Constitution Act, he is in no other way enabled to control or modify the action of his Ministers for the time being than by dismissing them, and calling other persons to his Councils; that, inasmuch as during the whole period over which these differences have extended, the existing Government have possessed the confidence of the country and a large majority in the Assembly, Sir Charles Darling could only have changed his Ministers by calling to his Council persons who would at once have been met with a vote of want of confidence in the Assembly; that in such case the whole machinery of Government must have been paralysed, and the means of carrying on the public establishments stopped, by reason of the Assembly having resolved, and throughout adhered to their resolution, not to send up an Appropriation Act to the Council until the claims of the Assembly to control the taxation of the Colony were acknowledged; that, in dealing with this difficult political situation, his Excellency has, in the opinion of your Memorialists, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner; and that his tact and wisdom are shown by the result, inasmuch as the whole of these differences were

terminated under his Excellency's government before his recall; that his Excellency's conduct has met with the general approbation of the colonists at large, as proved in the recent general election for the Assembly, in which election a majority of three to one were returned in favour of the Government.

Your Memorialists, therefore, whilst deeply regretting that Your Majesty has been advised to take a step which has involved what we cannot but regard as a slight and injustice to Your Majesty's representative, Sir Charles Darling, must also express their sincere conviction that such result has been mainly brought about by partial and *ex-parte* representations which have been laid before Your Majesty's Secretary of State by persons disaffected to Parliamentary government in the Colony, and desirous of discrediting it in England; that, under such circumstances, your Memorialists cannot but deprecate, in the strongest terms, the unnecessary interference of Your Majesty's Secretary of State in the internal affairs of the Colony; and, whilst devotedly attached to Your Majesty's person, and earnestly desirous of maintaining our connection with Your Majesty's Throne and the Empire, yet respectfully submit to Your Majesty that we, a free community, will at all times feel it to be our duty to maintain in their integrity the constitutional rights and privileges which Your Majesty has been graciously pleased to confer on us.

Signed on behalf of the meeting,

Fitzroy Borough, Melbourne, 4 May 1866. *Thomas Walter Vine*, Chairman.

No. 8.

To Her Most Gracious Majesty the Queen.

May it please Your Majesty,

We, Your Majesty's most loyal and devoted subjects resident in Your Majesty's Colony of Victoria, in public meeting assembled, have learned with deep regret that Your Majesty has been advised by Your Majesty's Secretary of State for the Colonies to remove his Excellency Sir Charles Darling from this Government.

We desire to inform Your Majesty that for the last 15 months unhappy differences have existed between the Legislative Council and the Legislative Assembly of this Colony, on the subject of their respective powers in dealing with our financial legislation; that throughout these differences the public opinion of the Colony, as expressed at elections and in the Assembly, has strongly declared itself on the side of the latter body; that his Excellency the Governor has, during these differences, been placed in a position of almost unexampled difficulty; that, by reason of his very limited power under our present Constitution Act, he is in no other way enabled to control or modify the action of his Ministers for the time being than by dismissing them and calling other persons to his Councils; that, inasmuch as during the whole period over which these differences have extended, the existing Government have possessed the confidence of the country and a large majority in the Assembly, Sir Charles Darling could only have changed his Ministers by calling to his Councils persons who would at once have been met with a vote of want of confidence in the Assembly; that in such case the whole machinery of Government must have been paralysed, and the means of carrying on the public establishments stopped, by reason of the Assembly having resolved, and throughout adhered to their resolution, not to send up an Appropriation Act to the Council until the claims of the Assembly to control the taxation of the Colony were acknowledged; that, in dealing with this difficult political situation, his Excellency has, in the opinion of your Memorialists, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner; and that his tact and wisdom are shown by the result, inasmuch as the whole of these differences were terminated under his Excellency's government before his recall; that his Excellency's conduct has met with the general approbation of the colonists at large, as proved in the recent general election for the Assembly, in which election a majority of three to one were returned in favour of the Government.

Your Memorialists, therefore, whilst deeply regretting that Your Majesty has been advised to take a step which has involved what we cannot but regard as a slight and injustice to Your Majesty's representative, Sir Charles Darling, must also express their sincere conviction that such result has been mainly brought about by partial and *ex-parte* representations which have been laid before Your Majesty's Secretary of State by persons disaffected to Parliamentary government in the Colony, and desirous of discrediting it in England; that, under such circumstances, your Memorialists cannot but deprecate, in the strongest terms, the unnecessary interference of Your Majesty's Secretary of State in the internal affairs of the Colony; and, whilst devotedly attached to your Majesty's person, and earnestly desirous of maintaining our connection with Your Majesty's Throne and the Empire, yet respectfully submit to Your Majesty that we, a free community, will at all times feel it to be our duty to maintain in their integrity the constitutional rights and privileges which Your Majesty has been graciously pleased to confer on us.

Signed on behalf of the Meeting,

East Collingwood. *J. Bowring*, Chairman.

No. 9.

To the Queen's Most Gracious Majesty.

May it please Your Majesty,

We, Your Majesty's loyal and devoted subjects resident in Your Majesty's Colony of Victoria, in public meeting assembled, have learned with deep regret that Your Majesty has been advised by Your Majesty's Secretary of State for the Colonies to remove his Excellency Sir Charles Darling from this Government; we desire to inform Your Majesty that for the last 15 months unhappy differences have existed between the Legislative Council and the Legislative Assembly of this Colony, on the subject of their respective powers in dealing with our financial legislation; that throughout these differences the public opinion of the Colony, as expressed at elections and in the Assembly, has strongly declared itself on the side of the latter body; that his Excellency the Governor has, during these differences, been placed in a position of almost unexampled difficulty; that, by reason of his very limited power under our present Constitution Act, he is in no other way enabled to control or modify the action of his Ministers for the time being, than by dismissing them and calling other persons to his Councils; that, inasmuch as during the whole period over which these differences have extended, the existing Government have possessed the confidence of the country and a large majority in the Assembly, Sir Charles Darling could only have changed his Ministers by calling to his Council persons who would at once have been met with a vote of want of confidence in the Assembly; that in such case the whole machinery of Government must have been paralysed, and the means of carrying on the public establishments stopped by reason of the Assembly having resolved, and throughout adhered to their resolution, not to send up an Appropriation Act to the Council until the claims of the Assembly to control the taxation of the Colony were acknowledged; that, in dealing with this difficult political situation, his Excellency has, in the opinion of your Memorialists, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner; and that his tact and wisdom are shown by the result, inasmuch as the whole of these differences were terminated under his Excellency's government before his recall; that his Excellency's conduct has met with the general approbation of the colonists at large, as proved in the recent general election for the Assembly, in which election a majority of three to one were returned in favour of the Government. Your Memorialists, therefore, whilst deeply regretting that Your Majesty has been advised to take a step which has involved what we cannot but regard as a slight and injustice to Your Majesty's representative, Sir Charles Darling, must also express their sincere conviction that such result has been mainly brought about by partial and *ex parte* representations, which have been laid before Your Majesty's Secretary of State by persons disaffected to Parliamentary government in the Colony, and desirous of discrediting it in England; that, under such circumstances, your Memorialists cannot but deprecate, in the strongest terms, the unnecessary interference of Your Majesty's Secretary of State in the internal affairs of the Colony; and, whilst devotedly attached to Your Majesty's person, and earnestly desirous of maintaining our connection with Your Majesty's Throne and the Empire, yet respectfully submit to Your Majesty that we, a free community, will at all times feel it to be our duty to maintain in their integrity the constitutional rights and privileges which Your Majesty has been graciously pleased to confer on us.

Signed for and on behalf of the above-mentioned Meeting held at Brunswick in the East Bourke Boroughs, on the 27th day of April 1866,

Robert Talbot, M.D., J.P., Chairman.

No. 10.

To Her Most Gracious Majesty the Queen.

May it please Your Majesty,

We, Your Majesty's loyal and devoted subjects resident in Carisbrook, in Your Majesty's Colony of Victoria, in public meeting assembled, have learned with deep regret that Your Majesty has been advised by Your Majesty's Secretary of State for the Colonies to remove his Excellency Sir Charles Darling from this Government; we desire to inform Your Majesty that for the last 15 months unhappy differences have existed between the Legislative Council and the Legislative Assembly of this Colony, on the subject of their respective powers in dealing with our financial legislation; that throughout these differences the public opinion of the Colony, as expressed at elections and in the Assembly, has strongly declared itself on the side of the latter body; that his Excellency the Governor has, during these differences, been placed in a position of almost unexampled difficulty; that, by reason of his very limited power under our present Constitution Act, he is in no other way enabled to control or modify the action of his Ministers for the time being,

being, than by dismissing them and calling other persons to his Councils; that, inasmuch as during the whole period over which these differences have extended, the existing Government have possessed the confidence of the country and a large majority in the Assembly, Sir Charles Darling could only have changed his Ministers by calling to his Council persons who would at once have been met with a vote of want of confidence in the Assembly; that in such a case the whole machinery of Government must have been paralysed, and the means of carrying on the public establishments stopped, by reason of the Assembly having resolved, and throughout adhered to their resolution, not to send up an Appropriation Act to the Council until the claims of the Assembly to control the taxation of the Colony were acknowledged; that, in dealing with this difficult political situation, his Excellency has, in the estimation of your Memorialists, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner; and that his tact and wisdom are shown by the result, inasmuch as the whole of these differences were terminated under his Excellency's government before his recall; that his Excellency's conduct has met with the general approbation of the colonists at large, as proved in the recent general election for the Assembly, in which election a majority of three to one were returned in favour of the Government. Your Memorialists, therefore, whilst deeply regretting that Your Majesty has been advised to take a step which has involved what we cannot but regard as a slight and injustice to Your Majesty's representative, Sir Charles Darling, must also express their sincere conviction that such result has been mainly brought about by partial and *ex parte* representations, which have been laid before Your Majesty's Secretary of State in the internal affairs of the Colony; and, whilst devotedly attached to Your Majesty's person, and earnestly desirous of maintaining our connection with Your Majesty's Throne and the Empire, yet respectfully submit to Your Majesty that we, a free community, will at all times feel it to be our duty to maintain in their integrity the constitutional rights and privileges which Your Majesty has been graciously pleased to confer on us.

Signed on behalf of the Meeting,
Daniel Crooks, Mayor of Carisbrook.

No. 11.

To Her Most Gracious Majesty the Queen.

May it please Your Majesty,

We, Your Majesty's loyal and devoted subjects resident in Your Majesty's Colony of Victoria, in public meeting assembled, have learned with deep regret that Your Majesty has been advised by Your Majesty's Secretary of State for the Colonies to remove his Excellency Sir Charles Darling from this Government. We desire to inform Your Majesty that for the last 15 months unhappy differences have existed between the Legislative Council and the Legislative Assembly of this Colony, on the subject of their respective powers in dealing with our financial legislation; that throughout these differences the public opinion of the Colony, as expressed at elections and in the Assembly, has strongly declared itself on the side of the latter body; that his Excellency the Governor has, during these differences, been placed in a position of almost unexampled difficulty; that, by reason of his very limited power under our present Constitution Act, he is in no other way enabled to control or modify the action of his Ministers for the time being, than by dismissing them and calling other persons to his Councils; that, inasmuch as during the whole period over which these differences have extended, the existing Government have possessed the confidence of the country and a large majority in the Assembly, Sir Charles Darling could only have changed his Ministers by calling to his Council persons who would at once have been met with a vote of want of confidence in the Assembly; that in such case the whole machinery of Government must have been paralysed, and the means of carrying on the public establishments stopped, by reason of the Assembly having resolved, and throughout adhered to their resolution, not to send up an Appropriation Act to the Council until the claims of the Assembly to control the taxation of the Colony were acknowledged; that, in dealing with this difficult political situation, his Excellency has, in the opinion of your Memorialists, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner; and that his tact and wisdom are shown by the result, inasmuch as that the whole of these differences were terminated under his Excellency's government before his recall; that his Excellency's conduct has met with the general approbation of the colonists at large, as proved in the recent general election for the Assembly, in which election a majority of three to one were returned in favour of the Government. Your Memorialists, therefore, whilst deeply regretting that your Majesty has been advised to take a step which has involved what we cannot but regard as a slight and injustice to Your Majesty's representative, Sir Charles Darling, must also express their sincere conviction that such result has been mainly brought about by partial and *ex parte* representations, which have been laid before Your Majesty's Secretary of State by persons disaffected to Parliamentary government in the Colony, and desirous of discrediting it in England; that, under such circumstances, your Memorialists cannot but deprecate, in the strongest terms, the unnecessary interference of

Your

Your Majesty's Secretary of State in the internal affairs of the Colony, and whilst devotedly attached to Your Majesty's person, and earnestly desirous of maintaining our connection with Your Majesty's throne and the empire, yet respectfully submit to Your Majesty that we, a free community, will at all times feel it to be our duty to maintain in their integrity the constitutional rights and privileges which Your Majesty has been graciously pleased to confer on us.

Robert Ogilvie Smith,
Chairman of said Meeting.

Sandhurst, 30 April 1866.

No. 12.

Proposed by Mr. *Wm. Law;* seconded by Mr. *Thos. Tyrie.*

To Her Most Gracious Majesty the Queen.

May it please your Majesty,

We, Your Majesty's loyal and devoted subjects resident in your Majesty's Colony of Victoria, in public meeting assembled, have learned with deep regret that Your Majesty has been advised by Your Majesty's Secretary of State for the Colonies to remove his Excellency Sir Charles Darling from this Government. We desire to inform Your Majesty that for the last 15 months unhappy differences have existed between the Legislative Council and the Legislative Assembly of this Colony on the subject of their respective powers in dealing with our financial legislation; that throughout these differences the public opinion of the Colony, as expressed at elections and in the Assembly, has strongly declared itself on the side of the latter body; that his Excellency the Governor has during these differences been placed in a position of almost unexampled difficulty; that by reason of his very limited power under our present Constitution Act, he is in no other way enabled to control or modify the action of his Ministers for the time being than by dismissing them, and calling other persons to his Councils; that, inasmuch as during the whole period over which these differences have extended, the existing Government have possessed the confidence of the country and a large majority in the Assembly, Sir Charles Darling could only have changed his Ministers by calling to his Council persons who would at once have been met with a vote of want of confidence in the Assembly; that in such case the whole machinery of Government must have been paralysed, and the means of carrying on the public establishments stopped, by reason of the Assembly having resolved, and throughout adhered to their resolution, not to send up an Appropriation Act to the Council until the claims of the Assembly to control the taxation of the Colony were acknowledged; that, in dealing with this political situation, his Excellency has, in the opinion of your Memorialists, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner; and that his tact and wisdom are shown by the result, inasmuch as the whole of these differences were terminated under his Excellency's government before his recall; that his Excellency's conduct has met with the general approbation of the colonists at large, as proved in the recent general election for the Assembly, in which election a majority of three to one were returned in favour of the Government. Your Memorialists, therefore, whilst deeply regretting that Your Majesty has been advised to take a step which has involved what we cannot but regard as a slight and injustice to Your Majesty's representative, Sir Charles Darling, must also express their sincere conviction that such result has mainly been brought about by partial and *ex-parte* representations, which have been laid before Your Majesty's Secretary of State by persons disaffected to Parliamentary government in the Colony, and desirous of discrediting it in England; that under such circumstances Your Memorialists cannot but deprecate, in the strongest terms, unnecessary interference of Your Majesty's Secretary of State in the internal affairs of the Colony; and, whilst devotedly attached to Your Majesty's person, and earnestly desirous of maintaining our connection with your Majesty's throne and the empire, yet respectfully submit to Your Majesty that we, as a free community, will at all times feel it our duty to maintain in their integrity the constitutional rights and privileges which Your Majesty has been graciously pleased to confer upon us.

Proposed and seconded,—"That the foregoing Memorial be adopted, and the chairman be requested to take the necessary steps for transmitting it to Her Majesty."

Fred. Lowe, J.P.,
Chairman.

Landsborough, Victoria.

No. 13.

To Her Most Gracious Majesty the Queen.

May it please Your Majesty,

We, Your Majesty's loyal and devoted subjects resident in the Colony of Victoria, in public meeting assembled, have learned with deep regret that Your Majesty has been advised

advised by Your Majesty's Secretary of State for the Colonies to remove his Excellency Sir Charles Darling from this Government. We desire to inform Your Majesty that for the last 15 months unhappy differences have existed between the Legislative Council and the Legislative Assembly of this Colony, on the subject of their respective powers in dealing with our financial legislation; that throughout these differences the public opinion of the Colony, as expressed at elections and in the Assembly, has strongly declared itself on the side of the latter body; that his Excellency the Governor has, during these differences, been placed in a position of almost unexampled difficulty; that by reason of his very limited power under our present Constitution Act, he is in no other way enabled to control or modify the action of his Ministers for the time being than by dismissing them, and calling other persons to his Councils; that, inasmuch as during the whole period over which these differences have extended, the existing Government have possessed the confidence of the country and a large majority in the Assembly, Sir Charles Darling could only have changed his Ministers by calling to his Council persons who would at once have been met with a vote of want of confidence in the Assembly; that in such case the whole machinery of Government must have been paralysed, and the means of carrying on the public establishments stopped, by reason of the Assembly having resolved, and throughout adhered to their resolution, not to send up an Appropriation Act to the Council until the claims of the Assembly to control the taxation of the Colony were acknowledged; that, in dealing with this difficult political situation, his Excellency has, in the opinion of your Memorialists, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner; and that his tact and wisdom are shown by the result, inasmuch as the whole of these differences were terminated under his Excellency's government before his recall; that his Excellency's conduct has met with the general approbation of the colonists at large, as proved in the recent general election for the Assembly, in which election a majority of three to one was returned in favour of the Government. Your Memorialists, therefore, while deeply regretting that Your Majesty has been advised to take a step which has involved what we cannot but regard as a slight and injustice to your Majesty's representative, Sir Charles Darling, must also express their sincere conviction that such result has been mainly brought about by partial and *ex-parte* representations, which have been laid before Your Majesty's Secretary of State by persons disaffected to Parliamentary government in the Colony, and desirous of discrediting it in England; that, under such circumstances, your Memorialists cannot but deprecate, in the strongest terms, the unnecessary interference of Your Majesty's Secretary of State in the internal affairs of the Colony; and whilst devotedly attached to Your Majesty's person, and earnestly desirous of maintaining our connection with Your Majesty's throne and the empire, yet respectfully submit to your Majesty that we, a free community, will at all times feel it to be our duty to maintain in their integrity the constitutional rights and privileges which Your Majesty has been graciously pleased to confer on us.

James Buchanan, J.P.,
Chairman of the Meeting.

Berwick, 28 April 1866.

No. 14.

Mr. Pearce, in a few appropriate remarks, introduced the fifth resolution, which was seconded by Mr. R. Kerr:—

"That in accordance with the foregoing resolution, the following Memorial be adopted by the meeting, and that the chairman be requested to take the necessary steps for transmitting it to Her Majesty; also, to forward to his Excellency a copy of the resolutions, and that the chairman sign the memorial on behalf of this meeting:—

"May it please Your Majesty,

"We, Your Majesty's loyal and devoted subjects resident in Bacchus Marsh, in Your Majesty's Colony of Victoria, in public meeting assembled, have learned with deep regret that Your Majesty has been advised by Your Majesty's Secretary of State for the Colonies to remove his Excellency Sir C. Darling from this Government. We desire to inform Your Majesty that, owing to the unhappy differences which have existed for the past 15 months between the Legislative Council and the Legislative Assembly, his Excellency the Governor has been placed in circumstances of unusual difficulty, seeing that the only way in which he could influence the action of his Ministers for the time being was by dismissing them, and calling others to his Councils; and, inasmuch as during the whole period over which these differences extended, the existing Government has possessed the confidence of the country and a very large majority of the Assembly, a new Ministry would at once have been met by the Assembly with a vote of want of confidence, so that the whole machinery of Government must have been paralysed, and the means of carrying on the public establishments stopped. That in dealing with this difficult political situation his Excellency has, in the opinion of your Memorialists, been actuated by the single desire of permitting opinion to settle the questions at issue in a constitutional manner, and that his prudence, skill, and ability are shown by the result, the whole of the difficulties having been amicably settled under his Excellency prior to his recall.

"Your

"Your Memorialists, therefore, whilst regretting that Your Majesty has been advised to take a step which has involved what we cannot but regard as a slight and injustice to Your Majesty's representative, Sir C. Darling, must also express their earnest conviction that such a result has been mainly brought about by partial and interested statements that have been made to Your Majesty's Secretary of State for the Colonies. That, under such circumstances, your Memorialists cannot but deprecate, in the strongest form, the step taken by Your Majesty's Secretary of State in thus unnecessarily interfering with the internal affairs of the Colony; and, being devotedly attached to Your Majesty's person, and earnestly desirous of maintaining our connection with Your Majesty's person and empire, we, in the exercise of the constitutional rights and privileges which Your Majesty has been graciously pleased to confer upon us, would humbly and earnestly solicit Your Majesty, in the exercise of Your Royal power, to reward a faithful servant for duties executed in the midst of much difficulty and misrepresentation, and to gratify a loyal people by reinstating his Excellency Sir Charles Darling as Your Majesty's representative in Your Majesty's Colony of Victoria.

(signed) "*James Young*, J.P.,
"Bacchus Marsh, April 23, 1866." "Chairman."

No. 15.

To Her Most Gracious Majesty the Queen.

THE residents in and electors of the district of Castlemaine, in Your Majesty's Colony of Victoria, Australia, desire to approach Your Majesty with the deepest feelings of loyalty and affection.

We have learnt that Your Majesty has been advised to recall from the governmental office of this Colony your old servant and officer Sir Charles Darling, Knight, Commander of the Bath, &c. &c., and that, in consequence of such advice, Sir Charles Darling has been recalled. We would humbly desire to express to Your Majesty our deep regret at this circumstance, knowing, as we do, that Sir Charles Darling has performed the duties of his important office with a wise and earnest desire to promote the interests of Your Majesty's most loyal subjects, the colonists of Victoria, and that in carrying out the policy indicated by his advisers he did so advance their interest and their good.

We would, at the same time, express our belief that the information upon which Your Majesty was recommended to recall Sir Charles Darling was furnished by persons whose interests and desires led them to labour for their own personal gain, and not the good of this Your Majesty's Colony of Victoria.

(signed) *Joseph Wigring*,
Chairman of Meeting held at Castlemaine,
14 May 1866.

No. 16.

To Her Most Gracious Majesty Queen Victoria.

May it please Your Majesty,

WE, Your Majesty's loyal and devoted subjects resident at Morse's Creek, in Your Majesty's Colony of Victoria, in public meeting assembled, have learned with regret that Your Majesty has recalled his Excellency Sir Charles Darling from this Government.

Without entering into the merits of the dispute between the two Houses of Legislature of this Colony, we sincerely regret that, by the advice of Your Majesty's Secretary of State for the Colonies, a slight and injustice has been put upon his Excellency Sir Charles Darling. We, your Memorialists, reside near the confines of this Colony, and may, therefore, be considered impartial judges of the conduct of his Excellency, in the trying position in which he was placed, and we are unanimously of opinion that serious consequences would have resulted but for the wisdom, firmness, and ability of his Excellency. At the same time we cannot but deprecate in the strongest terms what, we most respectfully submit, is an unwarrantable interference of Your Majesty's Secretary of State for the Colonies in the internal affairs of this Colony; and while we ever wish, as dutiful and loyal subjects, to live under Your Majesty's Government, we shall as a free community maintain those rights and privileges which Your Majesty has been graciously pleased to confer on us.

And your Memorialists, as in duty bound, will ever pray, &c.

J. M. Tho. Bell,
Morse's Creek, 16 May 1866. Chairman of the Meeting at which the foregoing Memorial was adopted.

No. 17.

To Her Most Gracious Majesty Queen Victoria.

Most Gracious Sovereign,

The Memorial of the Inhabitants of Maryborough, in the Colony of Victoria, convened in Public Meeting on the 12th day of May 1866,

Humbly Sheweth,

That the Memorialists deeply regretting the recall of Sir Charles Darling from the Government of Victoria, agreed almost unanimously in passing the subjoined resolutions on the subject:—

1. "That this meeting having learned, with deep regret, that Her Majesty's Principal Secretary of State for the Colonies has, for totally insufficient reasons, recalled Sir Charles Darling from the Government of Victoria, desires to express its full concurrence and approval of the public policy which, at the instance of his responsible advisers, was adopted and sanctioned by his Excellency, and which during his brief term of office was carried into legal effect, and which has led to the peaceful termination of the late difficult, protracted, and grave national crisis."

2. "That this meeting views with just suspicion and alarm the attempt which has been made by the British Government, through Mr. Cardwell, and which has been made clearly manifest by his Despatches to Sir Charles Darling, and by his precipitate recall of that gentleman from his high office, to interfere, either directly or indirectly, with the internal and domestic policy of this Colony, and considers that it alone belongs to the people of this Colony, through their representatives in Parliament, to determine what kind of policy they may deem the best, and to insist, by all constitutional means, on such policy being carried into legal effect."

3. "That, considering the deep and all but irreparable injury which Sir Charles Darling has experienced, both pecuniary and otherwise, in consequence of his abrupt recall from the government of the Colony, and firmly believing that his administration of that government, during his term of office, was not only faithful to the interests of the British Crown, but wise, able, and constitutional, this meeting cordially approves of the action of the Legislative Assembly, wherein that body recommends Her Majesty the Queen to sanction their grant of 20,000 *l.* to Lady Darling for her own separate use."

4. "That a memorial, embodying the foregoing resolutions, and addressed to Her Majesty the Queen, be forwarded by the chairman to the Chief Secretary, for transmission to Her Majesty at his earliest convenience."

May it therefore please your Majesty to take such action in this matter as may seem best to your responsible advisers, and most conducive to the welfare and prosperity of this great and loyal Dependency of Your Majesty's Kingdom.

And your Memorialists will ever pray, &c.

Signed for, and on behalf of above meeting,
James Lagan, Chairman.

No. 18.

To Her Most Gracious Majesty Queen Victoria, Queen of Great Britain and Ireland, &c. &c.

May it please Your Majesty,

We, Your Majesty's loyal and devoted subjects, being members of the North Ovens District Road Board, in the Colony of Victoria, in meeting assembled, have learned with deep regret that Your Majesty has been advised by Your Majesty's Chief Secretary of State for the Colonies to remove his Excellency Sir Charles Darling from the government of this Colony of Victoria; and we are desirous to convey to Your Majesty our great regret at the injustice which has thus been done to his Excellency.

At the meeting of the Board, held on Monday, the 7th May, 1866, instant, the resolution following was unanimously affirmed:—

"That this Board views with regret the action of the Chief Secretary of State for the Colonies in removing Sir Charles Darling from the government of the Colony of Victoria, and desires to express its sympathy with his Excellency, and its admiration of the many services which he has rendered the Colony during his administration: and also their approval of the proposed action of the Government to grant a sum of 20,000 *l.* as a testimony of the Colony of the many services which his Excellency has rendered it."

And your Memorialists will ever pray, &c. &c.

Signed for, and by the order of the Board,
Charles Chandler,
Chairman.

By order,
Zadok Porter, Clerk.

North Ovens Road Board Office,
North Wangaratta, 7 May 1866.

No. 19.

To Her Most Gracious Majesty the Queen.

May it please Your Majesty,

We, Your Majesty's loyal and devoted subjects, resident in Your Majesty's Colony of Victoria, in public meeting assembled, have learned with deep regret that Your Majesty has been advised by Your Majesty's Secretary of State for the Colonies to remove his Excellency Sir Charles Darling from this Government. We desire to inform Your Majesty that for the last 15 months unhappy differences have existed between the Legislative Council and the Legislative Assembly of this Colony on the subject of their respective powers in dealing with our financial legislation; and throughout these differences the public opinion of the Colony, as expressed at elections and in the Assembly, has strongly declared itself on the side of the latter body; that his Excellency the Governor has during the differences been placed in a position of almost unexampled difficulty; that, by reason of his very limited power under our present Constitution Act, he is in no other way enabled to control or modify the action of his ministers for the time being than by dismissing them and calling other persons to his councils; that, inasmuch as during the whole period which those differences have extended, the existing Government have possessed the confidence of the country and a large majority of the Assembly, Sir Charles Darling could only have changed his ministers by calling to his councils persons who would at once have been met with a vote of want of confidence in the Assembly; that in such a case the whole machinery of Government must have been paralyzed and the means of carrying on the public establishments stopped, by reason of the Assembly having resolved, and throughout adhered to their resolution, not to send up an Appropriation Act to the Council until the claims of the Assembly to control the taxation of the Colony were acknowledged; that in dealing with this difficult political situation his Excellency has, in the opinion of your Memorialists, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner, and that his tact and wisdom are shown by the result, inasmuch as the whole of these differences were terminated under his Excellency's government before his recall; that his Excellency's conduct has met the general approbation of the Colonists at large, as proved at the recent general election for the Assembly, in which election a majority of three to one were returned in favour of the Government. Your Memorialists, therefore, whilst deeply regretting that Your Majesty has been advised to that step which has involved what we cannot but regard as a slight and injustice to Your Majesty's representative, Sir Charles Darling, must also express their sincere conviction that such result has been brought about by partial and *ex parte* representations, which have been laid before Your Majesty's Secretary of State by persons disaffected to Parliamentary government in the Colony and desirous of discrediting it in England; that under such circumstances your Memorialists cannot but deprecate in the strongest terms the unnecessary interference of Your Majesty's Secretary of State in the internal affairs of the Colony; and whilst devotedly attached to Your Majesty's person, and earnestly desirous of maintaining our connection with Your Majesty's throne and the empire, yet respectfully submit to Your Majesty that we, a free community, will at all times feel it to be our duty to maintain in their integrity the constitutional rights and privileges which Your Majesty has been graciously pleased to confer on us.

Chairman at Public Meeting, Moyston, at which the above was adopted,

Moyston, 2 May 1666. (signed) *John Matthews.*

No. 20.

To Her Most Gracious Majesty the Queen.

May it please Your Majesty,

We, Your Majesty's loyal and devoted subjects resident in the shire of Kyneton, in the Colony of Victoria, in public meeting assembled, have learned with deep regret that Your Majesty has been advised by Your Majesty's Secretary of State for the Colonies to remove his Excellency Sir Charles Darling from this Government. We desire to inform Your Majesty that for the last 15 months unhappy differences have existed between the Legislative Council and the Legislative Assembly of this Colony on the subject of their respective powers in dealing with our financial legislation; that throughout these differences the public opinion of the Colony, as expressed at elections and in the Assembly, has strongly declared itself on the side of the latter body; that his Excellency the Governor has during these differences been placed in a position of almost unexampled difficulty; that, by reason of his very limited power under our present Constitution Act, he is in no other way enabled to control or modify the action of his ministers for the time being than by dismissing them and calling other persons to his councils; that, inasmuch as during the whole period over which these differences have extended, the existing Government have possessed the confidence of the country and a large majority in the Assembly, Sir Charles Darling could only have changed his ministers by calling to his council persons who would at once have been

met with a vote of want of confidence in the Assembly; that in such case the whole machinery of Government must have been paralyzed, and the means of carrying on the public establishments stopped by reason of the Assembly having resolved, and throughout adhered to their resolution, not to send up an Appropriation Act to the Council until the claims of the Assembly to control the taxation of the Colony were acknowledged; that in dealing with this difficult situation his Excellency has, in the opinion of your Memorialists, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner; and that his tact and wisdom are shown by the result, inasmuch as the whole of these differences were terminated under his Excellency's government before his recall. That his Excellency's conduct has met with the general approbation of the Colonists at large, as proved in the recent general election for the Assembly, in which election a majority of three to one was returned in favour of the Government.

Your Memorialists, therefore, while deeply regretting that Your Majesty has been advised to take a step which has involved what we cannot but regard as a slight and injustice to Your Majesty's representative, Sir Charles Darling, must also express their sincere conviction that such result has been mainly brought about by partial and *ex parte* representations, which have been laid before Your Majesty's Secretary of State by persons disaffected to parliamentary government in the Colony, and desirous of discrediting it in England; that under such circumstances your Memorialists cannot but deprecate in the strongest terms the unnecessary interference of Your Majesty's Secretary of State in the internal affairs of the Colony; and, whilst devotedly attached to Your Majesty's person, and earnestly desirous of maintaining our connection with Your Majesty's throne and the empire, yet respectfully submit to Your Majesty that we, a free community, will at all times feel it to be our duty to maintain in their integrity the constitutional rights and privileges which Your Majesty has been graciously pleased to confer on us.

Signed by order and on behalf of the said meeting, held at the Mechanics' Institute, Kyneton, on the 2nd day of May 1866.

William Thomson, J. P.,
Chairman of the Meeting, and President of Kynetonshire.

No. 21.

To Her Most Gracious Majesty the Queen.

May it please Your Majesty,

We, Your Majesty's loyal and devoted subjects, resident in Your Majesty's Colony of Victoria, in public meeting assembled, have learned with deep regret that your Majesty has been advised by Your Majesty's Secretary of State for the Colonies to remove his Excellency Sir Charles Darling from this Government. We desire to inform Your Majesty that for the last 15 months unhappy differences have existed between the Legislative Council and the Legislative Assembly of this Colony on the subject of their respective powers in dealing with our financial legislation; that throughout these differences the public opinion of the Colony, as expressed at elections and in the Assembly, has strongly declared itself on the side of the latter body; that his Excellency the Governor has, during these differences, been placed in a position of almost unexampled difficulty; that, by reason of his very limited power under our present Constitution Act, he is in no other way enabled to control or modify the action of his ministers for the time being than by dismissing them and calling other persons to his councils; that, inasmuch as during the whole period over which these differences have extended, the existing Government have possessed the confidence of the country and a large majority in the Assembly, Sir Charles Darling could only have changed his ministers by calling to his council persons who would at once have been met with a vote of want of confidence in the Assembly; that in such case the whole machinery of Government must have been paralysed, and the means of carrying on the public establishments stopped, by reason of the Assembly having resolved, and throughout adhered to their resolution, not to send up an Appropriation Act to the Council until the claims of the Assembly to control the taxation of the Colony were acknowledged; that in dealing with this difficult political situation, his Excellency has, in the opinion of your Memorialists, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner; and that his tact and wisdom are shown by the result, inasmuch as the whole of these differences were terminated under his Excellency's government before his recall; that his Excellency's conduct has met with the general approbation of the Colonists at large, as proved in the recent general election for the Assembly, in which election a majority of three to one were returned in favour of the Government.

Your Memorialists, therefore, whilst deeply regretting that Your Majesty has been advised to take a step which has involved what we cannot but regard as a slight and injustice to Your Majesty,s representative, Sir Charles Darling, must also express their sincere conviction that such result has been mainly brought about by partial and *ex parte* representations which have been laid before Your Majesty's Secretary of State by persons disaffected to Parliamentary government in the Colony, and desirous of discrediting it in England; that, under such circumstances, your Memorialists cannot but deprecate in the strongest terms the

the unnecessary interference of Your Majesty's Secretary of State in the internal affairs of the Colony; and whilst devotedly attached to Your Majesty's person, and earnestly desirous of maintaining our connection with Your Majesty's throne and the empire, yet respectfully submit to Your Majesty that we, a free community, will at all times feel it to be our duty to maintain in their integrity the constitutional rights and privileges which Your Majesty has been graciously pleased to confer on us.

Signed on behalf, in name, and at the request, of the inhabitants of Williamstown, in public meeting assembled, the 10th day of May, A.D. 1866.

Joseph Dalgarno,
Chairman.

No. 22.

To Her Most Gracious Majesty the Queen.

May it please Your Majesty,

We, Your Majesty's loyal and devoted subjects, resident in Your Majesty's Colony of Victoria, in the borough of Belfast, have learned with deep regret that Your Majesty has been advised by Your Majesty's Secretary of State for the Colonies to remove his Excellency Sir Charles Darling from this Government. We desire to inform Your Majesty that for the last 15 months unhappy differences have existed between the Legislative Council and the Legislative Assembly of this Colony on the subject of their respective powers in dealing with our financial legislation; that throughout these differences the public opinion of the Colony, as expressed at elections and in the Assembly, has strongly declared itself on the side of the latter body; that his Excellency the Governor has, during these differences, been placed in a position of almost unexampled difficulty; that, by reason of his very limited power under our present Constitution Act, he is in no other way enabled to control or modify the action of his ministers for the time being than by dismissing them and calling other persons to his councils; that, inasmuch as during the whole period over which these differences have extended, the existing Government have possessed the confidence of the country, and a large majority in the Assembly, Sir Charles Darling could only have changed his ministers by calling to his council persons who would at once have been met with a vote of want of confidence in the Assembly; that in such case the whole machinery of Government must have been paralysed, and the means of carrying on the public establishments stopped, by reason of the Assembly having resolved, and throughout adhered to their resolution, not to send up an Appropriation Act to the Council until the claims of the Assembly to control the taxation of the Colony were acknowledged; that in dealing with this difficult political situation, his Excellency has, in the opinion of your Memoralists, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner; and that his tact and wisdom are shown by the result, inasmuch as the whole of these differences were terminated under his Excellency's government before his recall; that his Excellency's conduct has met with the general approbation of the Colonists at large, as proved in the recent general election for the Assembly, in which election a majority of four to one was returned in favour of the Government. Your Memorialists, therefore, while deeply regretting that Your Majesty has been advised to take a step which has involved what we cannot but regard as a slight and injustice to your Majesty's representative, Sir Charles Darling, must also express their sincere conviction that such result has been mainly brought about by partial and *ex parte* representations which have been laid before Your Majesty's Secretary of State by persons disaffected to Parliamentary government in the Colony, and desirous of discrediting it in England; that, under such circumstances, your Memorialists cannot but deprecate in the strongest terms the unnecessary interference of your Majesty's Secretary of State in the internal affairs of the Colony; and, whilst devotedly attached to Your Majesty's person, and earnestly desirous of maintaining our connection with Your Majesty's throne and the empire, yet respectfully submit to your Majesty that we, a free community, will at all times feel it to be our duty to maintain in their integrity the constitutional rights and privileges which Your Majesty has been graciously pleased to confer on us.

(signed) *Charles Ruffle*,
Geo. Hutton,
Wm. Webb,
} Borough Councillors.

(And 136 other Signatures.)

— No. 5. —

(No. 61.)

No. 5.
Governor Sir C. Darling, K.C.B., to the Right Hon. Edward Cardwell, M.P.
7 May 1866.

COPY of a DESPATCH from Governor Sir *C. Darling*, K.C.B., to the Right Honourable *Edward Cardwell*, M.P.

Government House, Melbourne,
7 May 1866.
(Received 20 July 1866.)

Sir, (Acknowledged, No. 11, 6 August 1866, page 35.)

IT is my duty to forward the copy of an address presented to me by the inhabitants of Geelong, in public meeting assembled, accompanied by the copy of a letter from the mover thereof.

I have, &c.
(signed) *C. H. Darling.*

The Right Hon. Edward Cardwell, M.P.
&c. &c. &c.

Enclosure 1, in No. 5,

To His Excellency Sir *Charles Darling*, K.C.B., &c. &c. &c.

THE inhabitants of the town of Geelong and adjacent districts desire to express to your Excellency their sincere regret at the hasty proceedings of Her Majesty's Ministers, resulting in relieving your Excellency from your high and honourable office, the duties of which you have performed so as to strengthen our attachment to the British Crown, and to have excited throughout the Colony warm sentiments of attachment and respect, personally and officially for yourself.

Remembering our distance from the metropolis of Victoria, we cannot be suspected of sharing in the party and personal bitterness which have lately so violently prevailed at the seat of Government; but we know that your Excellency's position has been one of peculiar and trying difficulty, not easily to be understood by parties so distant as the Home Authorities, as shown by the recently published despatches; but we respectfully but firmly avow that in the opinion of an overwhelming majority of our fellow colonists, the result of the recent general elections, and the failure of an interested minority to form a ministry capable of carrying on the business of the country, have fully justified the measures taken under extreme emergency by your Excellency, to preserve the credit of the Crown, and to avert the confusion and disorder which threatened us as a community.

It would be futile to conceal the facts, that the throwing open of the Crown lands of Victoria, and the rapid settlement of our population, could not at any time be accomplished without a struggle: and we believe, whatever causes may be alleged by your Excellency's opponents, that the extinction of the land monopoly and the introduction of the tariff, in some degree recognising home interests, have mainly produced the virulent attacks upon the present Government of the Colony, and have also relieved your Excellency for a time from your important administrative functions.

With all respect for your Excellency, and under a strong assurance that when the merits of our late political crisis are more fully understood in England, Her Majesty's advisers, using a wise discretion, will again gladly avail themselves of your long experience and high character in various parts of the empire, by evincing a due appreciation of those great qualities which have distinguished you in this Colony as the representative of Her Most Gracious Majesty, whom you have so long and so faithfully served.

Signed on behalf of the meeting,

R. de B. Johnstone, Chairman.

Enclosure 2, in No. 5.

Sir, Geelong, 3 May 1866.

I HAVE the honour to request that you will lay the accompanying address, signed by the Mayor, on behalf of a meeting computed at 1,500 persons, at the town-hall on the 30th ult., before his Excellency the Governor.

The address was submitted to the meeting by myself, and adopted unanimously.

I have, &c.
(signed) *James G. Carr.*

H. S. Warde, Esq.,
Private Secretary to His Excellency.

— No. 6. —

(No. 62.)

No. 6.
Governor Sir C. Darling, K.C.B., to the Right Hon. Edward Cardwell, M.P.
7 May 1866.

COPY of a DESPATCH from Governor Sir *C. Darling*, K.C.B., to the Right Honourable *Edward Cardwell*, M.P.

Government House, Melbourne,
7 May 1866.
(Received, 20 July 1866.)
(Acknowledged, No. 11, 6 August 1866, page 35.)

Sir,

I HAVE the honour to forward herewith copies of addresses presented to me, as Her Majesty's representative, which have been adopted at public meetings held at the places enumerated in the accompanying schedule.

I have, &c.
(signed) *C. H. Darling.*

Enclosures in No. 6.

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No. 1.

To His Excellency Sir *Charles Henry Darling*, Knight Commander of the Most Honourable Order of the Bath.

May it please your Excellency,

WE, the District Officers, Chief Rangers, past Chief Rangers, Officers, and Brethren of the United Melbourne District of the Ancient Order of Foresters :—

Beg respectfully, on the occasion of your Excellency's leaving Victoria, to tender our heartfelt and sincere acknowledgments for the interest manifested on all occasions by you for the welfare and progress of our Order, and for the honour conferred upon our Order by your Excellency graciously favouring an important assemblage of the brethren with your presence.

The desire you have always evinced to foster institutions such as ours causes us to regret exceedingly your departure from these shores, and we beg to assure your Excellency that your name will be ever remembered by the Brethren of the United Melbourne District of the Ancient Order of Foresters with affection and respect.

Your Excellency carries with you our best wishes that your future career may be marked by success, honour, and distinction, and that health and happiness may be the lot of your Excellency and your distinguished family.

On behalf of the United Melbourne District of the Ancient Order of Foresters,

We beg, &c.
(signed) *Edwin Wilson*, D.C.R.
James Diggens, D.S.C.R.
G. W. Payne,
acting for *H. Le Plastrier*, D.S.
John Whiteman, J.P., D.T.
James Maddox, D.B.

No. 2.

To His Excellency Sir *Charles Darling*, Knight Commander of the Bath, &c. &c., late Governor of the Colony of Victoria.

May it please your Excellency,

WE, the inhabitants of the Castlemaine Electoral District, in public meeting assembled, having heard with profound regret your Excellency's recall from the Governorship of this Colony, would desire to approach you with assurances of our entire approval of your Excellency's administration throughout the very trying political period just passed.

With indignant feelings we contemplate the acts of a small section of the community towards your Excellency, as also the want of knowledge of our political position, which marks the decision of Her Majesty's Secretary of State for the Colonies. We deplore your Excellency's removal as a national loss. A sincere upholder of constitutional Government, in the truest sense, you yet, with great penetration, discerned what were the wishes of the people—what gave them the fullest measure of freedom. In all time to come it still will be remembered by the people of this Colony that, in securing to them the benefits of right belonging to a representative form of Government, you yourself have been sacrificed. Had it pleased your Excellency to exercise the powers vested in you in an opposite direction, the results would have been different. The bulk of the people would have received the initial blow to their liberties, but sure commendation would have awaited you from the Colonial Office.

With earnest hope we would express an opinion that your deprivation of gubernatorial authority will be but of short duration. Lovers of liberty in England, whose names are legion, will speedily sift the unimportant details from the main facts in connection with your Excellency's conduct during the late political crisis, when you will be restored to that honourable position you are so well fitted to occupy, and of which the enemies to freedom would dispossess you.

(signed) *Joseph Myring*,
Chairman of Meeting
held at Castlemaine, 14 May 1866.

No. 3.

Be it remembered that on this 18th day of April A.D. 1866, at an ordinary meeting of the borough council of the borough of Amherst, it was, on the motion of the mayor, Horatio Huntley Hoskins, seconded by Councillor Thomas Dale Wrigley, unanimously resolved:—

"That this council, while it deeply deplores the action of the Home Government in the recall of His Excellency Sir Charles Henry Darling from the administration of the Government of the Colony, hereby expresses its entire and most unqualified confidence in His Excellency's past conduct in Victoria, and also its conviction that he, acting under the advice of his responsible advisers, whose counsel has been strictly in accordance with the opinion, unmistakeably expressed, of nine-tenths of the people, as evidenced by the results of the late elections, has saved the country from consequences which, owing entirely to the late obstructive policy of the legislative councils, threatened to be most disastrous to the interests of the great bulk of the community; and also that this council hereby most respectfully offers its hearty congratulations to his Excellency on the happy termination of the late crisis, the more so as it has resulted without loss of any of the privileges of the people, or of their representatives, in the Legislative Assembly."

In testimony whereof the corporate seal of the said borough is on the day and year first aforesaid by the order of the said council of the said borough hereunto affixed.

L. S.

Witness,
H. Huntley Hoskins,
Mayor.

No. 4.

To His Excellency Sir *Charles Darling*, Knight Commander of the Most Honourable Order of the Bath, Governor and Commander in Chief of the Colony of Victoria, &c. &c. &c.

I feel much pleasure in being made the medium of forwarding to your Excellency, through the Honourable the Chief Secretary, the subjoined Resolution, passed at a meeting of the council of the borough of Craigie, held on the 25th day of April 1866.

I have, &c.
(signed) *Jno. E. Williams*,
Mayor.

Resolution,—

"That this council desires to express its deep regret that Her Majesty's Secretary of State for the Colonies has thought fit to recommend the removal of Sir Charles Darling from the Government of this Colony, and in the opinion of this council His Excellency has, during the trying ordeal through which the Colony has passed, been actuated by a single

single desire to deal with the difficulty in a constitutional manner, and the best thanks of this council are due and are hereby given to Sir Charles Darling for the judicious discretion he has evinced in bringing about a reconciliation between both branches of the Legislature, thereby laying a foundation for the enactment of measures that will tend to the future advancement and welfare of the community at large."

No. 5.

To His Excellency Sir *Charles Henry Darling*, Knight Commander of the Most Honourable Order of the Bath, Governor and Commander in Chief of the Colony of Victoria, &c. &c. &c.

May it please your Excellency,

At a meeting of the inhabitants of Indented Heads, convened by the Farmers' Association, and held in the Mechanics' Institute at Drysdale, on the 2nd day of May 1866, it was resolved:

"That this meeting deeply deplore the hasty decision of the Colonial Secretary in recalling your Excellency on the authority of *ex parte* statements, purposely distorted to meet two objects, the first of which was to withdraw your sympathy and the weight of your high office from the distinctly declared wish of the people; and happily failing to accomplish that, their second object was to misconstrue your motives and acts to the authorities at home as to ensure your Excellency's recall."

Whilst we are grieved to acknowledge that your Excellency's recall is a loss to us little else than irreparable, we, on the other hand, have cause of great thankfulness that, in a great measure owing to your firmness and decision, the galling fetters in which we have been so long bound by the land monopoly and the operations of unrestricted importations have received their death blow, and your name and the short period you represented our beloved Queen amongst us, will, we firmly trust, be the starting point of a new era of progress and prosperity, and that your Excellency may be long spared to hear of, if not to partake of it (an event of which we have not yet lost hopes), is the earnest prayer of—

Your Excellency's affectionate, sincere and grateful servants,

(signed) *John Wylie*,
Chairman.

No. 6.

To His Excellency Sir *Charles Darling*, K.C.B., Governor of the Colony of Victoria, &c. &c.

The council and ratepayers of the shire of Winchelsea unanimously desire to express to your Excellency their sincere regret at the hasty proceedings of Her Majesty's Principal Secretary of State for the Colonies, which have resulted in relieving your Excellency from the high and important position of Governor of this Colony, the duties of which you have performed in such a manner as to have excited throughout the Colony warm sentiments of attachment and respect, personally and officially for yourself.

At this distance from the metropolis of Victoria, it will hardly be suspected that we have shared or taken part in the personal bitterness or acrimonious discussions which have so strongly marked the recent controversy between the two branches of the Legislature, but we have not failed to perceive that your Excellency's position has been one of a peculiar and trying character, the difficulties of which do not appear to have been understood by the Imperial Government, as shown by the tenor of the despatches from England, which have been lately published in this Colony. Moreover we feel bound to respectfully and firmly avow that in our opinion, the result of the recent general elections, and the utter failure of an interested minority to form a ministry capable of carrying on the Government, fully justify the measures taken by your Excellency to preserve the honour of the Crown, and to avert the confusion and disaster which seriously threatened the peace and welfare of the community.

Although there is not a doubt but the fact of throwing open the public lands of the Colony, and the ready settlement of the population thereon, after years of struggle to accomplish that end, have served powerfully to extinguish a vast land monopoly, and the alteration of the fiscal policy of this country, by the introduction of a tariff which promises to materially benefit the majority of the colonists, have, in turn, brought about the violent attacks upon the present advisers of your Excellency, by a small but influential section of the community, yet those are the causes traceable, in our humble opinion, as leading to the removal of your Excellency for a time, from your honourable administrative functions in this Colony.

However, with all due respect we venture to hope that when the merits of the recent political crisis are better understood in Great Britain, Her Majesty's advisers will evince a full

a full appreciation of those great qualities which have marked your career in this Colony, as the representative of Her most gracious Majesty, by again availing themselves of your experience and high character, in various portions of the British dominions.

In conclusion we earnestly pray for the health and happiness of yourself and Lady Darling and family.

Signed on behalf of the Council and ratepayers this third day of May, 1866,

L. S.

(signed) *Wm. Stirling*, J.P., President.
John Elkington,
Secretary to the Council of the Shire of Winchelsea.

No. 7.

A PUBLIC meeting was held at Landsborough, on Tuesday the 1st of May 1866, to express an opinion upon the recall of his Excellency Sir Charles Darling.

Between 300 and 400 persons were present.

The following resolutions were unanimously carried:—

F. Lowe, Esq., J.P., in the chair.

1st. Proposed by Mr. J. Andrews, M.M.B.; seconded by Mr. Philpot:

"That this meeting desires to express its deep regret that Her Majesty's Secretary of State for the Colonies should have seen fit to recommend to Her Majesty to remove Sir Charles Darling from the Government of this Colony; and it is the opinion of this meeting that his Excellency has, throughout the whole of the late conflict between the Legislative Council and the Legislative Assembly, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner, and this meeting is further of opinion that the result of the late general election, terminating in a majority of three to one in favour of the Government, has conclusively shown that his Excellency's conduct has met with the general approbation of the colonists at large."

2nd. Proposed by Mr. A. Miller; seconded by Mr. Copeland:

"That this meeting, while feeling and anxious to express their sincerest loyalty for Her Majesty's person, at the same time deprecates, in the strongest terms, the unnecessary interference of Her Majesty's Secretary of State for the Colonies in our internal affairs. That such interference has been apparently invoked and obtained by those amongst us indisposed to Parliamentary government.

"That the constitutional means at the disposal of the colonists were sufficient for the settlement of the differences between the two Chambers, as the result has shown, and, notwithstanding such interference by the Secretary of State, this meeting is of opinion that whatever Governor may be appointed to succeed Sir Charles Darling, the colonists should read and act upon their rights by the light of their Constitution Act, and not by the light of a Despatch of a Secretary of State, who must frequently depend on *ex parte* representations which colonists can neither control nor correct."

3rd. Proposed by Mr. G. Morgan; seconded by Mr. A. Tayler:

"That inasmuch as the recall of Sir Charles Darling will entail upon his Excellency heavy pecuniary loss, and seeing that it has been brought about by purely political causes, it is the opinion of this meeting that compensation for his loss of office should be given, and the sympathy of the people expressed by means of an adequate Parliamentary grant."

(signed) *Fred. Lowe*, J.P., Chairman.

No. 8.

COPY of Resolutions passed at a public meeting held at Kyneton, 3rd May 1866.

First resolution moved by John Menzies, Esq., and seconded by Dr. M'Millan, J.P.:

"That, in the opinion of this meeting, his Excellency Sir Charles Darling has, throughout the whole of the late conflict between the Legislative Council and Assembly, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner, such a course being best calculated to preserve our own honour; maintain the rights of the people, secure allegiance to the British Crown, and prevent anarchy; in consequence of which he is justly entitled to the favour of his Sovereign, the confidence of the Home Government, and the gratitude of the colonists. This meeting, therefore, expresses sincere regret at his departure, and begs to assure his Excellency that the sympathy and best

best wishes of this community will accompany him in whatsoever sphere it may please Providence to place him, and that his name will long be honoured and respected by every well-wisher of his adopted country."

Second Resolution, moved by B. Kenworthy, Esq., J.P., and seconded by Councillor Kinnear:

"That this meeting, whilst entertaining the most profound feelings of loyalty and attachment to the throne and person of Her Most Gracious Majesty Queen Victoria, cannot refrain from stating that they are also fully impressed with, and alive to the duty which devolves on them of being also true and loyal to their own position, and those rights which they regard as their most precious political heritage. Consequently, it is the opinion of this meeting that the action of the Home Government, by sanctioning the unnecessary interference of Her Majesty's Secretary of State for the Colonies, in recalling Sir Charles Darling from the Governorship of this Colony, at such a time, and under existing circumstances, is both premature, ill-advised, and contrary to the fundamental principles of common justice."

Third Resolution, moved by Mr. W. X. Johnson, and seconded by Mr. James Laird:

"That inasmuch as the recall of Sir Charles Darling will entail upon his Excellency heavy pecuniary loss, and seeing that such recall has been brought about by purely political causes, it is the opinion of this meeting that compensation for loss of office should be given, and the sympathy of the people expressed by an adequate Parliamentary Grant."

No. 9.

The following Resolutions were carried unanimously at a Public Meeting held at Carisbrook, on Tuesday evening, 1 May 1866.

The Worshipful the Mayor, David Crooks, Esq., in the Chair.

1. That this meeting hears, with deep regret, that the Secretary of State for the Colonies has thought fit to remove his Excellency Sir Charles Darling from his post as Governor for this Colony of Victoria, a position he has so ably filled with such unswerving impartiality and consummate ability; that such recall will tend to create in this Colony a feeling of doubt and mistrust, uncertainty and painful misgiving as to future appointments of the kind.

And further deplores that the Secretary of State for the Colonies should have allowed himself to be so misled by such mischievous counsel as to bring about such ill results, such counsel being contrary to facts, and given by parties who do not nor can they command the confidence of the public at large; and that this meeting fully believes that the overwhelming nature of the emergency amply justified his Excellency Sir Charles Darling in adopting the steps taken by him to carry on the Government of this important Colony of Victoria.

2. That this meeting, while anxious to express its loyalty to Her Majesty, cannot but deprecate the unnecessary interference of the Secretary of State for the Colonies with our internal affairs.

3. That inasmuch as the recall of his Excellency Sir Charles Darling will entail heavy pecuniary loss upon his Excellency, it is the opinion of this meeting that compensation should be given him, and the sympathy of the people be expressed by an adequate Parliamentary grant.

(signed) *David Crooks*,
Chairman of the Meeting.

No. 10.

To His Excellency Sir Charles Darling, K.C.B., Commander in Chief and Governor General of the Colony of Victoria, &c. &c.

May it please your Excellency,

We, the members of the North Ovens District Road Board, are desirous of expressing our sympathy with your Excellency in your unmerited removal from the government of this Colony of Victoria, and to assure you of the high estimation in which we have ever held, and still hold, you, both in your public and private capacity; and also to inform you that this Board have adopted and forwarded to Her Most Gracious Majesty the Queen a memorial expressive of their sentiments on your unjust removal from the government of this Colony.

At the meeting of the Board, held on Monday, 7th May 1866, instant, the resolution following was unanimously affirmed:

"That this Board view with regret the action of the Chief Secretary of State for the Colonies in removing Sir Charles Darling from the Government of the Colony of Victoria; and desires to express its sympathy with his Excellency, and its admiration of the many services he has rendered to the Colony during his administration; and also their approval of the proposed action of the Government to grant a sum of 20,000 *l.* as a testimony of the Colony for the many services which his Excellency has rendered it."

I have, &c.

7 May 1866. (signed) *Charles Chandler*, Chairman.

By order,

L. S. *Zadok Porter*, Clerk.

— No. 7. —

No. 7.

Governor Sir C. Darling, K.C.B., to the Right Hon. E. Cardwell, M.P. 7 May 1866.

(No. 63.)

COPY of a DESPATCH from Governor Sir *C. Darling*, K.C.B., to the Right Honourable *Edward Cardwell*, M.P.

Government House, Melbourne, 7 May 1866.

(Received, 20 July 1866.)

Sir, (Acknowledged, No. 15, 9 August 1866, page 36.)

REFERRING to my Despatch, No. 41, of the 18th ultimo, I beg leave to call your attention to the regulation of the Colonial Service which requires the Governor, when transmitting petitions to the Secretary of State, to state his views "as to the merits or demerits of the parties, or the justice of their several claims or complaints, with the reasons upon which these views proceed," and the "decision at which he may have arrived after a full investigation of the whole case."

It will surely, sir, be apparent to you, that I only acted in conformity with my prescribed duty, in accompanying the Petition of the 22 Executive Councillors with the remarks and statement of opinions contained in that Despatch; and it necessarily follows that if I had been dishonest enough to suppress my opinions when addressing the Secretary of State, I should have escaped the heavy penalty I have been made to pay for the candour and truth with which those opinions were conveyed.

2. I beg further to observe, that the first public document brought under my notice when I was appointed to the Government of Victoria, was Sir Henry Barkly's separate Despatch of the 7th May 1862, to the late Duke of Newcastle, in which, after stating generally the position in which he stood towards his advisers, he tendered the resignation of his office upon the ground that the object of obtaining a better provision for maintaining the dignity of the Queen's Representative may be anticipated from the party now in power, if one so obnoxious to it on personal grounds as myself were out of the way; and in the previous part of his Despatch Sir H. Barkly observed, that this obnoxiousness on personal grounds had arisen from certain of his public acts.

It is notorious that, at the time referred to, the Governor held no personal intercourse with Mr. O'Shannassy (then the leader) and other Members of his Cabinet.

3. The Duke of Newcastle declined to accept Sir H. Barkly's resignation, upon the ground that to do so, would be to place the tenure of the Governor's office in the hands of the local Ministry. Although, in my own case, I do not admit the actual existence of the personal obnoxiousness on either side, yet knowing that its assumed existence has been made the ground of my recall, I must be permitted to lament that my conduct has been judged in a spirit so different from that which was brought to bear upon the case of my predecessor; and that a decision has been arrived at which has in fact placed the tenure of the Governor's office in the hands of any junto of intriguing politicians who, having once held office as responsible Ministers, whatever their public status or private reputation, may think fit to combine in complaining of conduct which the Governor, with the advice of his Ministers and Law Officers, had pursued, and thus create the impression that the

the Governor could not call them to his counsels if the course of political events should indicate that course as the proper one to be pursued.

4. With reference to the feeling of personal antagonism supposed to exist on the part of the Executive Councillors, I may add, that four of those gentlemen are now in the Assembly; three of them have spoken, during a discussion in the House, of the circumstances connected with my recall; two of them have disavowed all personal feeling in the matter; and the third, Mr. Ireland, who next to Mr. O'Shannassy, is the most prominent politician of the number, distinctly stated that he was not in a position of personal antagonism towards me.

5. It is satisfactory to me that I am able, with this statement, to conclude the last Despatch which I shall have the honour to address to you as the Governor of Victoria, as it is my intention to embark this day, and transfer the Government, in pursuance of Her Majesty's desire, to Brigadier General Carey.

I have, &c.
(signed) *C. H. Darling.*

— No. 8. —

(No. 6.)

No. 8.
Officer Administering the Government to Right Hon. E. Cardwell, M.P.
26 May 1866.

COPY of a DESPATCH from the Officer Administering the Government to the Right Honourable *Edward Cardwell*, M.P.

Government Offices, Melbourne, 26 May 1866.
(Received, 20 July 1866.)
Acknowledged, No. 12, 6 Aug. 1866, page 35.)

Sir,

I HAVE the honour to forward copies of two messages I have received from the Legislative Council, relative to the non-collection of customs duties, and the Immigration Clause of the Land Act, together with the copies of the replies founded upon information furnished to me by my responsible advisers, which it is my intention to tranmit to the Council on Tuesday next.

No. 1.
No. 2.
No. 3.
No. 4.

I am, &c.
(signed) *G. J. Carey.*

Enclosure 1, in No. 8.

To His Excellency Brigadier General *George Jackson Carey*, Companion of the Most Honourable Order of the Bath, Commanding Her Majesty's Troops in the Australian Colonies, and Officer Administering the Government of the Colony of Victoria, &c. &c. Encl. 1, in No. 8.

May it please your Excellency,

WE, Her Majesty's most dutiful and loyal subjects, the Members of the Legislative Council of Victoria, in Parliament assembled, beg to submit to your Excellency's consideration the following facts: That, during the months of January, February, and March, last year, various sums, amounting to 35,000 *l.* and upwards, due to Her Majesty on account of duties upon tea, sugar, opium, and gold, were omitted to be collected by the officer appointed by Parliament for that purpose. Bonds, however, were taken for that amount, which, so far as the Council is aware, have never yet been enforced. A further sum of 63,000 *l.* and upwards, due to Her Majesty on account of similar duties, was omitted to be collected between the dates of 11th October and 28th November 1865, for which neither bonds nor other securities have been taken; both the above amounts involving a loss to the revenue of nearly 100,000 *l.*, through the remission of duties totally unauthorised by law. We therefore deem it to be our imperative duty to beg your Excellency's attention to this serious infraction of the law of the land on the part of the Government of this Colony, feeling well assured that your Excellency will direct such steps to be taken as in your wisdom and judgment may seem expedient to carry out the law of the land.

Enclosure 2, in No. 8.

Encl. 2, in No. 8. To His Excellency Brigadier General *George Jackson Carey*, Companion of the Most Honourable Order of the Bath, Commanding Her Majesty's Troops in the Australian Colonies, and Officer Administering the Government of the Colony of Victoria, &c. &c.

May it please your Excellency,

We, Her Majesty's most dutiful and loyal subjects, the Members of the Legislative Council of Victoria in Parliament assembled, desire to bring the following matter under the attention of your Excellency.

That, by the 38th clause of the Land Act, 1862, it is provided, that one-fourth of the net moneys arising in each year from the sale or leasing of lands, or from licenses for the use thereof, should be appropriated for the purposes of assisted immigration into Victoria.

That, by the Immigration Act, No. 175, provision was made for giving effect to such appropriation.

That, up to the present time, no immigration agents or other officers have been appointed to carry out the law; and large sums of money which have been annually available for immigration purposes, although specially appropriated to that object, remain unexpended.

We, therefore, pray your Excellency to take such steps in the matter as to your Excellency may appear necessary.

Enclosure 3, in No. 8.

Encl. 3, in No. 8. MESSAGE.

THE Officer Administering the Government acknowledges the Address of the Legislative Council, submitting to his consideration certain facts relating to duties of Customs omitted to be collected by the officer said to be appointed by Parliament for that purpose, and begging his attention to an alleged serious infraction of the law of the land on the part of the Government of this Colony.

The Officer Administering the Government desire to remind the Legislative Council that the advisers of the Crown, although not appointed by Parliament, are responsible to Parliament for their executive acts, and for any omission or infraction of their duty in the performance of those acts. He is informed that the subject referred to in the address of the Legislative Council is at present engaging the attention of that branch of the Legislature which is charged by law with the care and controul of the public finances.

George J. Carey,
Officer Administering the Government.

Enclosure 4, in No. 8.

Encl. 4, in No. 8. MESSAGE.

THE Officer Administering the Government acknowledges the Address of the Legislative Council, bringing under his attention the provisions of the law relating to immigration and the appropriation of public moneys in furtherance of immigration.

It is enacted by the 38th section of the Land Act, 1862, that the Governor in Council may, from time to time, make regulations for promoting and directing assisted immigration, and that such regulations shall be first submitted to both Houses of Parliament. The Officer Administering the Government begs to remind the Legislative Council that regulations, intended to secure for Victoria a suitable class of immigrants, and so to moderate the amount of immigration as to prevent any disturbance of the natural relations between labour and capital, have been framed under this authority, and have received the sanction of both Houses of Parliament. The Officer Administering the Government is informed that all moneys available for immigration purposes under the provisions of the Land Act, 1862, as directed by the Regulations, have been fully expended, without restriction, for those purposes.

George J. Carey,
Officer Administering the Government.

— No. 9. —

(No. 7.)

No. 9.
Officer Administering the Government to Right Hon. E. Cardwell, M.P.
26 May 1866.

COPY of a DESPATCH from the Officer Administering the Government to the Right Hon. *Edward Cardwell*, M.P.

Government Offices, Melbourne, 26 May 1866.
(Received, 20 July 1866.)
(Answered, No. 47, 8 Dec. 1866, page 37.)

Sir,

I HAVE the honour to forward an Address to the Queen from the Legislative Assembly of this Colony, and I beg to request that you will place it before Her Majesty in the most acceptable manner.

I have, &c.
(signed) *George J. Carey.*

Enclosure in No. 9.

To Her Most Gracious Majesty the Queen.

Encl. in No. 9.

May it please Your Majesty,

We, the Members of the Legislative Assembly of Victoria, in Parliament assembled, beg leave to approach Your Majesty with renewed assurances of our loyalty and affection.

We beg leave to inform Your Majesty that the recall of Sir Charles Darling from the government of this Colony, which Your Majesty has been pleased to command, must occasion very heavy pecuniary loss to his family.

Anxious to obviate in some degree this result, we appointed a Select Committee to consider by what means we could most suitably effect our desire, and a vote of 20,000 *l.* to Lady Darling was recommended for our adoption by the Committee.

Since the presentation of the Report of the Committee to the Assembly, Sir Charles Darling addressed to us the following Message :—

C. H. Darling, Governor.

The Governor perceiving from the proceedings of the Legislative Assembly that a Select Committee of the House, appointed to report on the steps the House should take with reference to the Governor's recall from the government of this Colony, have agreed to recommend that a Parliamentary grant be made to Lady Darling, desires to express his deep and grateful appreciation of the generous consideration for his family evinced by the recommendation of the Committee.

But the Governor feels it to be his duty, while yet administering the government, to intimate that his family would not feel at liberty to accept the bounty of the Parliament and people of Victoria until the Governor shall have first ascertained whether Her Majesty may be pleased to signify any commands therein, and until he shall have respectfully submitted to Her Majesty his earnest petition that the whole of his conduct in the administration of the government of the Colony may be subjected to the most rigid inquiry and investigation.

Government House, Victoria, 5th May 1866.

We therefore humbly pray Your Majesty to be graciously pleased to sanction the acceptance of the proposed grant by Lady Darling.

And Your Majesty's petitioners, as in duty bound, will ever pray.

(signed) *Fras. Murphy*, Speaker.

— No. 10. —

(No. 8.)

No. 10.
Officer Administering the Government to Right Hon. E. Cardwell, M.P.
26 May 1866.

COPY of a DESPATCH from the Officer Administering the Government to the Right Hon. *Edward Cardwell*, M.P.

Melbourne, 26 May 1866.
(Received, 20 July 1866.)
(Acknowledged, No. 13, 7 Aug. 1866, page 36.)

Sir,

I HAVE the honour to acknowledge the receipt of your Despatch of the 26th of March 1866,* conveying, for my guidance in the temporary administration of this Colony, certain instructions.

In

* *Vide* Papers presented 23 March 1866, page 8.

In reply, I beg to transmit herewith, for your information, a copy of a Minute signed by the Attorney General, in which the intention of the Government to pay the amounts awarded to the petitioners by the Supreme Court is expressed.

I have, &c.
(signed) *George J. Carey.*

Enclosure in No. 10.

Encl. in No. 10.

THE Attorney General has the honour to inform his Excellency the Officer Administering the Government, that the Cabinet have arrived at the conclusion that the amounts of the judgments in the actions for the recovery of Customs duties which have not yet been settled, should be now paid, without awaiting the result of the application that has been made to Her Majesty for leave to appeal to the Judicial Committee of the Privy Council.

The Government have been induced to come to this decision by the circumstance that proceedings in the Supreme Court have been threatened against the Governor in person. The law officers are of opinion that no such proceedings will lie; but the Government are desirous of avoiding all risk of collision between the Executive Government and the Supreme Court, and the scandal and injury to the institutions of the country that would result from such a contest.

The Attorney General will communicate the decision of the Government to the parties in the course of to-day.

Crown Law Offices, 26 May 1866. (signed) *George Higinbotham.*

— No. 11. —

No. 11.
Officer Administering the Government to Right Hon. E. Cardwell, M.P.
26 May 1866.

(No. 9.)

COPY of a DESPATCH from the Officer Administering the Government to the Right Honourable *Edward Cardwell,* M.P.

Melbourne, 26 May 1866.
(Received, 20 July 1866.)

Sir, (Acknowledged, No. 9, 31 July 1866, page 35.)

I HAVE the honour to inform you that I this day received a petition to Her Majesty from Mr. Eckroyd of this city, praying that judgment obtained in the Supreme Court against the Crown in December last may be paid to him.

I have replied, that I am unable to forward the petition by this mail, from want of time to report upon it, &c.; and that by a notice relative to petitions, published in the "Gazette," it should have reached me six days before the departure of the mail steamer; but, that I will be happy to do so by the June mail, should he still wish it.

This course will, I imagine, be rendered unnecessary, as the Attorney General has communicated to Mr. Eckroyd this day the intention of the Government to liquidate his claim against the Crown.

I have, &c.
(signed) *George J. Carey.*

— No. 12. —

No. 12.
Officer Administering the Government to Right Hon. E. Cardwell, M.P.
21 June 1866.

(No. 10.)

COPY of a DESPATCH from the Officer Administering the Government to the Right Honourable *Edward Cardwell,* M.P.

Melbourne, 21 June 1866.
(Received, 25 August 1866.)

Sir, (Acknowledged, No. 28, 14 September 1866, page 37.)

WITH reference to my Despatch of the 26th* ultimo, transmitting an Address forwarded to me by the Members of the Legislative Council of Victoria, concerning certain uncollected duties, during the months of October and November 1865, together with a copy of the reply I was about to return to that Honourable House, I have now the honour to transmit for your information, a copy of an amended answer

* Above.

A.

answer which I transmitted to the Honourable Members of the Legislative Council on the same subject.

I have also the honour to enclose a copy of a Minute which I addressed to my responsible advisers on the 29th May last, relating to the uncollected duties above mentioned, together with a copy of their reply to me, bearing the same date. B.

I have further the honour to inform you that, with the advice of my ministers, I have directed a Commission to be convened for the purpose of inquiring into, and reporting upon the subject of certain duties proposed to be remitted or reduced by the tariff resolutions of the Legislative Assembly of Victoria, a copy of which I beg to forward herewith. C. D.

I have, &c.
(signed) *George J. Carey.*

Enclosure in No. 12.

(A.) Encl. in No. 12.

George J. Carey, Officer Administering the Government.

The Officer Administering the Government acknowledges the Address of the Legislative Council, submitting to his consideration certain facts relating to duties of Customs omitted to be collected by the officer said to be appointed by Parliament for that purpose, and begging his attention to an alleged serious infraction of the law of the land on the part of the government of this Colony.

The Officer Administering the Government desires to remind the Legislative Council that the advisers of the Crown, although not appointed by Parliament, are responsible to Parliament for their executive acts, and for any omission or infraction of their duty in the performance of those Acts. He is informed that the subject referred to in the Address of the Legislative Council is at present engaging the attention of that branch of the Legislature which is charged by law with the care and control of the public finances, and that a Select Committee has been appointed by that House to consider the question of the bonds now in course of collection.

Government Offices,
Melbourne, 29 May 1866.

(B.)

Minute for Ministers.

Melbourne, 29 May 1866.

With reference to the answer submitted by Ministers for the Officer Administering the Government to forward to the Legislative Council, with regard to their petition relating to duties not collected in the months of October and November last, he would request they would be so kind as to inform him whether legal steps may not be taken to enforce payment.

(signed) *G. J. Carey.*

(C.)

Memorandum for His Excellency.

The duties referred to by his Excellency in his Minute of this date, cannot certainly, in all cases, be recovered; and inasmuch as the lien on the goods was parted with on the distinct understanding that only the reduced duties would be demanded, to attempt to compel the payment of additional duties, under these circumstances, would be committing an injustice and breach of faith on those persons who had taken the goods out of bond, on the understanding referred to. His Excellency's advisers cannot, therefore, recommend that measures be taken to recover the additional duties.

29 May 1866. (signed) *James McCulloch.*

(D.)

VICTORIA, by the Grace of God of the United Kingdom of *Great Britain* and *Ireland*, Queen, Defender of the Faith.

To Our trusty and well-beloved John Macgregor, Esquire, M.L.A; the Honourable Charles MacMahon, M.L.A.; Edward Langton, Esquire, M.L.A.; George Collins Levey, Esquire, M.L.A.; Brice Frederick Bunny, Esquire, M.L.A.; George Verney Smith, Esquire, M.L.A.; Edward Cope, Esquire, M.L.A.; George Paton Smith, Esquire, M.L.A.; and James McKean, Esquire, M.L.A.; all of the City of Melbourne, in the Colony of Victoria,

Greeting,

WHEREAS, the Officer Administering the Government of our Colony of Victoria, with the advice of the Executive Council thereof, has deemed it expedient that a commission should forthwith issue to inquire into and report upon the subject of certain duties proposed to be remitted or reduced by the tariff resolutions of the Legislative Assembly of Our said Colony of the fifteenth day of February, in the year of our Lord One thousand Eight hundred and Sixty-five, and which still remain uncollected. Now, know ye that We, reposing great trust and confidence in your knowledge and ability, have constituted and appointed, and by these presents do constitute and appoint you, John Macgregor, Esquire, the Honourable Charles MacMahon, Edward Langton, Esquire, George Collins Levey, Esquire, Brice Frederick Bunny, Esquire, George Verney Smith, Esquire, Edward Cope, Esquire, George Paton Smith, Esquire, and James McKean, Esquire, to be Our Commissioners for the purpose aforesaid; and for the better effecting the objects of this Our Commission, We do give and grant you full power and authority to call before you such person or persons as you shall judge likely to afford you any information upon the subject of this Our commission, and to inquire of and concerning the premises by all other lawful means and ways whatsoever; and We will and command, and by these presents ordain, that this Our commission shall continue in full force and virtue, and that you Our said Commissioners shall and may, from time to time and at any place or places, proceed in the execution thereof and of every matter and thing therein contained, although the same be not continued from time to time by adjournment; and We do hereby appoint you, the said John Macgregor, to be Chairman of you Our said Commissioners; and lastly, We direct that you do with as little delay as possible report to Us, under your hands and seals, your opinions resulting from the said inquiry. In testimony whereof We have caused these Our letters to be made patent, and the seal of Our said Colony to be hereunto affixed.

Seal of the Colony of Victoria.

Witness Our trusty and well-beloved Brigadier General George Jackson Carey, Companion of the Most Honourable Order of the Bath, Commanding Her Majesty's Troops in the Australian Colonies, and Officer Administering the Government of the Colony of Victoria, &c. &c. &c. at Melbourne, this fifteenth day of June, One thousand Eight hundred and sixty-six, and in the twenty-ninth year of Our reign.

(signed) *George J. Carey.*

By His Excellency's Command,
(signed) *James McCulloch.*

Entered on record by me in Register of Patents Book 12, page 420, this Fifteenth day of June, One thousand Eight hundred and sixty-six.

(signed) *John Moore.*

— No. 13. —

(No. 14.)

No. 13. Officer Administering the Government to Right Hon. E. Cardwell. M.P. 25 June 1866.

COPY of a DESPATCH from the Officer Administering the Government to the Right Honourable *Edward Cardwell*, M.P.

Government Offices, Melbourne, 25 June 1866.
(Received, 25 August 1866.)

Sir, (Acknowledged, No. 25, 4 September 1866, page 37.)

I HAVE the honour to forward two petitions to Her Most Gracious Majesty the Queen, one from the inhabitants of the Shire of Bellerine, and the other from certain of Her Majesty's subjects in the Township of Koroit, in this Colony.

I have, &c.
(signed) *George J. Carey.*

Enclosure 1, in No. 13.

To Her Most Gracious Majesty the Queen. Encl. 1, in No. 13.

May it please Your Majesty,

We, Your Majesty's loyal and devoted subjects, resident in Your Majesty's Colony of Victoria, in the township of Koroit, and surrounding district, have learned with deep regret that Your Majesty has been advised by Your Majesty's Secretary of State for the Colonies to remove his Excellency Sir Charles Darling from this Government. We desire to inform Your Majesty that for the last 15 months unhappy differences have existed between the Legislative Council and the Legislative Assembly of this Colony on the subject of their respective powers in dealing with our financial legislation; that throughout these differences the public opinion of the Colony, as expressed at elections and in the Assembly, has strongly declared itself on the side of the latter body; that his Excellency the Governor has, during these differences, been placed in a position of almost unexampled difficulty; that, by reason of his very limited power under our present Constitution Act, he is in no other way enabled to control or modify the action of his Ministers for the time being than by dismissing them and calling other persons to his Councils; that, inasmuch as during the whole period over which these differences have extended the existing Government have possessed the confidence of the country and a large majority in the Assembly, Sir Charles Darling could only have changed his Ministers by calling to his Council persons who would at once have been met with a vote of want of confidence in the Assembly; that in such case the whole machinery of government must have been paralysed, and the means of carrying on the public establishments stopped, by reason of the Assembly having resolved, and throughout adhered to their resolution, not to send up an Appropriation Act to the Council until the claims of the Assembly to control the taxation of the Colony were acknowledged; that in dealing with this difficult political situation, his Excellency has, in the opinion of your Memorialists, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner; and that his tact and wisdom are shown by the result, inasmuch as the whole of these differences were terminated under his Excellency's Government before his recall; that his Excellency's conduct has met with the general approbation of the Colonists at large, as proved in the recent general election for the Assembly, in which election a majority of four to one was returned in favour of the Government. Your Memorialists, therefore, while deeply regretting that Your Majesty has been advised to take a step which has involved what we cannot but regard as a slight and injustice to Your Majesty's representative, Sir Charles Darling, must also express their sincere conviction that such result has been mainly brought about by partial and *ex parte* representations which have been laid before your Majesty's Secretary of State by persons disaffected to Parliamentary government in the Colony, and desirous of discrediting it in England; that under such circumstances your Memorialists cannot but deprecate, in the strongest terms, the unnecessary interference of Your Majesty's Secretary of State in the internal affairs of the Colony; and, whilst devotedly attached to Your Majesty's person, and earnestly desirous of maintaining our connection with Your Majesty's throne and the empire, yet respectfully submit to Your Majesty that we, a free community, will at all times feel it to be our duty to maintain in their integrity the constitutional rights and privileges which Your Majesty has been graciously pleased to confer on us.

(signed) *William Midgley,*
John Oliver,
John H. Miller,
(and 112 other signatures).

Enclosure 2, in No. 13.

To Her Most Gracious Majesty the Queen. Encl. 2, in No. 13.

May it please Your Majesty,

At a meeting of the inhabitants of the Shire of Bellerine, in the County of Grant, and Colony of Victoria, convened to consider the recall of Your Majesty's Representative, Sir Charles Henry Darling, from the Government of this Colony, it was resolved that a Memorial be prepared for transmission to Your Majesty, expressive of our regard for Your Majesty's person, veneration to the throne Your Majesty has so long and ably filled, and also relying on that keen sense of justice manifested towards the rights and privileges of all classes of Your Majesty's subjects, whenever brought under Your Majesty's notice.

We beg, therefore, in reference to the recall of Your Majesty's late Representative, to express our heartfelt sorrow that Your Majesty's Secretary for the Colonies should have allowed the insinuations of a few men, a number of whom have ever been noted for

intrigue and self-seeking, to influence his mind; that the all but unanimous decision of the Colony expressed at three different elections, condemnatory of their policy and party, should be taken as nothing.

To his Excellency's firmness and foresight must be attributed the amicable and peaceful settlement of the dispute between the two Chambers of the Legislature, most happily without that anarchy and confusion which at one time seemed almost inevitable; and we only express our conviction when we assert that the conduct of a majority of the Legislative Council seemed to aim at curtailing, if not destroying, the high privileges we enjoy in being a portion of Your Majesty's vast dominions, and in possession of self-government.

Not knowing the policy which guides Your Majesty's Councils in such cases (and discarding anything like presumption), we would humbly assure Your Majesty, that the return of Your Majesty's late Representative to the Government of this Colony would tend much to strengthen the ties which bind us to our native land.

That Your Majesty may long be spared to reign over a happy, united, and loyal people, is the earnest prayer of Your Majesty's loyal, humble, and devoted subjects.

(Signed on behalf of the meeting,)

Drysdale, 2 May 1866. *John Wylie*, Chairman.

— No. 14. —

(No. 17.)

No. 14. From Governor the Hon. Sir J. H. T. Manners Sutton, K.C.B., to Right Hon. Earl of Carnarvon. 18 October 1866.

COPY of a DESPATCH from Governor the Honourable Sir *J. H. T. Manners Sutton*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Government Offices, Melbourne,
18 October 1866.

My Lord, (Received, 13 December 1866.)

YOUR Lordship is already aware, from the Despatch marked in the margin, that the amounts awarded by the Supreme Court to certain parties (among whom was Mr. Eckroyd), in actions for the recovery of Customs duties, have been paid by this Government.

No. 8 of 26 May 1866, page 29.

Under these circumstances it became unnecessary to transmit to the Secretary of State the petition to Her Majesty, referred to in your Lordship's Despatch of the 7th August, No. 13,* and that petition was, on the 21st June, returned by General Carey (then administering the government) to Mr. Eckroyd.

* Page 36.

I have, &c.
(signed) *J. H. T. Manners Sutton.*

Despatches from the Secretary of State.

— No. 1. —

(No. 9.)

No. 1.
Right Hon. Earl of Carnarvon to Governor the Hon. Sir J. H. T. Manners Sutton, K.C.B. 31 July 1866.
* Page 30.

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor the Honourable Sir *J. H. T. Manners Sutton*, K.C.B.

Sir, Downing-street, 31 July 1866.

I HAVE the honour to acknowledge the receipt of General Carey's Despatch, No. 9,* of the 26th of May, stating that a petition to Her Majesty had been received from Mr. Eckroyd of Melbourne, but that it had reached him too late to allow of his reporting on it by that mail.

I have, &c.
(signed) *Carnarvon.*

— No. 2. —

(No. 11.)

No. 2.
Right Hon. Earl of Carnarvon to Governor the Hon. Sir J. H. T. Manners Sutton, K.C.B. 6 August 1866.
* Pages 20, 21.

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor the Honourable Sir *J. H. T. Manners Sutton*, K.C.B.

Sir, Downing-street, 6 August 1866.

I HAVE the honour to acknowledge the receipt of Sir C. Darling's two Despatches, Nos. 61 and 62* of the 7th May last, the former enclosing an address presented to him by the inhabitants of Geelong, and the latter forwarding addresses presented to him by deputations from public meetings held in various parts of the Colony.

I have, &c.
(signed) *Carnarvon.*

— No. 3. —

(No. 12.)

No. 3.
Right Hon. Earl of Carnarvon to Governor the Hon. Sir J. H. T. Manners Sutton, K.C.B. 6 August 1866.
* Page 27.

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor the Honourable Sir *J. H. T. Manners Sutton*, K.C.B.

Sir, Downing-street, 6 August 1866.

I HAVE the honour to acknowledge the receipt of General Carey's Despatch,* enclosing copies of two messages which he had received from the Legislative Council, relative to the non-collection of Customs duties, and the immigration clause of the Land Act, together with copies of the replies which it was his intention to transmit to that body.

I have, &c.
(signed) *Carnarvon.*

— No. 4. —

(No. 13.)

No. 4.
Right Hon. Earl of Carnarvon to Governor the Hon. Sir J. H. T. Manners Sutton, K.C.B. 7 August 1866.
* Page 29.

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor the Honourable Sir *J. H. T. Manners Sutton*, K.C.B.

Sir, Downing-street, 7 August 1866.

I HAVE the honour to acknowledge the receipt of General Carey's Despatch, No. 8,* of the 26th May, enclosing a Minute, signed by the Attorney-General, expressing the intention of the Government of Victoria to pay at once the amounts awarded to the petitioners by the Supreme Court in the actions for the recovery of Customs duties.

I have, &c.
(signed) *Carnarvon.*

— No. 5. —

(No. 14.)

No. 5.
Right Hon. Earl of Carnarvon to Governor the Hon. Sir J. H. T. Manners Sutton, K.C.B. 8 August 1866.
* Page 4.

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor the Honourable Sir *J. H. T. Manners Sutton*, K.C.B.

Sir, Downing-street, 8 August 1866.

I HAVE to acknowledge the receipt of Sir C. Darling's Despatch, No. 60,* of the 7th May last, enclosing petitions to Her Majesty from public bodies and assemblages of the inhabitants of Victoria, as specified in the annexed Schedule.

I have, &c.
(signed *Carnarvon.*

SCHEDULE.

1. Borough of Heathcote, and Shire of M'Ivor.
2. Electoral District of North Melbourne.
3. Ballarat.
4. Heidelberg.
5. Emerald Hill.
6. Richmond.
7. Fitzroy Borough.
8. East Collingwood.
9. Brunswick.
10. Carisbrook.
11. Sandhurst.
12. Landsborough.
13. Berwick.
14. Bacchus Marsh.
15. Castlemaine.
16. Morse's Creek.
17. Maryborough.
18. North Ovens District Road Board.
19. Moyston.
20. Kyneton.
21. Williamstown.
22. Belfast.

— No. 6. —

(No. 15.)

No. 6.
Right Hon. Earl of Carnarvon to Governor the Hon. Sir J. H. T. Manners Sutton, K.C.B. 9 August 1866.
* Page 26.

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor the Honourable Sir *J. H. T. Manners Sutton*, K.C.B.

Sir, Downing-street, 9 August 1866.

I HAVE to acknowledge the receipt of Sir C. Darling's Despatch, No. 63,* of the 7th May last, on the subject of his recall.

I have, &c.
(signed) *Carnarvon.*

— No. 7. —

(No. 16.)

No. 7.
Right Hon. Earl of Carnarvon to Governor the Hon. Sir J. H. T. Manners Sutton, K.C.B. 10 August 1866.

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor the Honourable Sir *J. H. T. Manners Sutton*, K.C.B.

Sir, Downing-street, 10 August 1866.

I HAVE to acknowledge the receipt of Sir C. Darling's Despatch, No. 59,* of the 7th May last, enclosing an address from the Legislative Council, and his reply, relative to the delay which, I regret to observe, occurred in communicating to that body my predecessor's Despatch, No. 15,† of the 26th January.

I have, &c.
(signed) *Carnarvon.*

* Page 2.

† *Vide* Papers presented March 1866, page 107.

— No. 8. —

(No. 25.)

No. 8.
Right Hon. Earl of Carnarvon to Governor the Hon. Sir J. H. T. Manners Sutton, K.C.B. 4 September 1866.

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor the Honourable Sir *J. H. T. Manners Sutton*, K.C.B.

Sir, Downing-street, 4 September 1866.

I HAVE the honour to acknowledge the receipt of General Carey's Despatch, No. 14,* of the 25th of June, forwarding two addresses from certain inhabitants of Bellerine, and of the township of Koroit, respectively expressing their regret that Sir C. Darling should have been removed from the government of Victoria.

I request that you will inform the persons from whom these addresses proceed that they have been duly laid before the Queen.

I have, &c.
(signed) *Carnarvon.*

* Page 32.

— No. 9. —

(No. 28.)

No. 9.
Right Hon. Earl of Carnarvon to Governor the Hon. Sir J. H. T. Manners Sutton, K.C.B. 14 September 1866.

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor the Honourable Sir *J. H. T. Manners Sutton*, K.C.B.

Sir, Downing-street, 14 September 1866.

I HAVE the honour to acknowledge the receipt of General Carey's Despatch, No. 10,* of the 21st of June, enclosing a copy of an amended answer which he had returned to an address of the Legislative Council concerning certain uncollected duties of Customs, and informing me that, with the advice of his Ministers, he had directed a Commission to be convened for the purpose of inquiring into, and reporting upon, the subject of certain duties proposed to be remitted or reduced by the tariff resolution of the Legislative Assembly of Victoria.

I have, &c.
(signed) *Carnarvon.*

* Page 30.

— No. 10. —

(No. 47.)

No. 10.
Right Hon. Earl of Carnarvon to Governor the Hon. Sir J. H. T. Manners Sutton, K.C.B. 8 December 1866.

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor the Honourable Sir *J. H. T. Manners Sutton*, K.C.B.

Sir, Downing-street, 8 December 1866.

I HAVE received General Carey's Despatch, No. 7,* of the 26th of May, in which he forwarded an address to the Queen from the Legislative Assembly of Victoria, praying that Her Majesty will be pleased to sanction the acceptance, by Lady Darling, of a sum of 20,000 *l.*, which a Select Committee of the Assembly have recommended should be granted to her.

* Page 29.

I have hitherto delayed answering that Despatch because I have been engaged in a correspondence on the subject with Sir Charles Darling, which can hardly be said even now to be concluded.

I request that you will inform the Speaker of the Assembly that the address has been laid before the Queen, who was pleased to receive it very graciously; but that I am unable to advise Her Majesty to accede to the request which it conveys.

The rule that a Governor should not receive pecuniary or valuable presents from the inhabitants of the Colony over which he presides, either during the continuance of his office, or on leaving it, is expressly laid down in the Colonial regulations, and for obvious reasons it has always been rigidly enforced. It is plain that such a rule would be merely nugatory if it were held that what the Governor was precluded from receiving might properly be given to his wife.

It is, under these circumstances, impossible that Her Majesty should be advised to sanction the literal or substantial violation of this rule by any of her servants, or, on the other hand, that the acceptance of the proposed gift should be regarded otherwise than as a final relinquishment by Sir C. Darling of that service, and of all the emoluments or expectations attaching to it.

I have, &c.
(signed) *Carnarvon.*

— No. 11. —

(No. 4.)

No. 11.
Right Hon. Earl of Carnarvon to Governor the Hon. Sir J. H. T. Manners Sutton, K.C.B.
25 January 1867.

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor the Honourable Sir *J. H. T. Manners Sutton*, K.C.B.

Sir, Downing-street, 25 January 1867.

I ENCLOSE for your information a copy of a letter which I have caused to be addressed to Sir Charles Darling, in answer to a communication from him in which he disputes the accuracy of a statement made in my Despatch to you of the 8th of December, respecting the rigid enforcement of the Colonial regulation which prohibits a Governor from receiving valuable presents from the inhabitants of the Colony over which he presides, on leaving office.

25 January 1867, page 107.

It is unnecessary for me to trouble you with Sir Charles Darling's letter,* to which the enclosed is an answer.

* 14 January 1867. This will also be found printed at page 105.

I have &c.
(signed) *Carnarvon.*

— No. 12. —

(No. 10.)

No. 12.
Right Hon. Earl of Carnarvon to Governor the Hon. Sir J. H. T. Manners Sutton, K.C.B.
4 February 1867.

COPY of a DESPATCH from the Right Honourable the Earl of *Carnarvon* to Governor the Honourable Sir *J. H. T. Manners Sutton*, K.C.B.

Sir, Downing-street, 4 February 1867.

I TRANSMIT to you for your information, and with reference to my Despatch No. 47,* of the 8th December, a copy of a further letter which I have received from Sir Charles Darling, on the subject of the Colonial regulation which prohibits the acceptance by a Governor of pecuniary or valuable presents from the inhabitants of the Colony over which he presides, during his continuance of office or on leaving.

* Page 37.

28 January 1867, page 109.

I also annex a copy of the reply which was sent to Sir C. Darling.

4 February 1867, page 111.

I have, &c.
(signed) *Carnarvon.*

— II. —

CORRESPONDENCE between the Colonial Office and Sir *Charles Darling*, since quitting *Victoria*.

— No. 1. —

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable *Edward Cardwell*, M.P.

No. 1.
Sir C. Darling, K.C.B., to the Right Hon. E. Cardwell, M.P.
16 May 1866.

Sir, Sydney, New South Wales, 16 May 1866.

HAVING just before my embarkation at Melbourne, and surrender of the government of Victoria, received the addresses of which the enclosed are copies, I believe it to be my duty to communicate them to you.

I have the honour to enclose also copies of the replies which I made to these addresses. 2.

I have, &c.
(signed) *C. H. Darling.*

Enclosure 1, in No. 1.

Encl. 1, in No. 1.

May it please your Excellency,

WE beg to tender to your Excellency a last sincere tribute of respect, ere you leave this country.

If anything were wanting to show the deep sense the people of Victoria entertain of your Excellency's wisdom, impartiality, and justice in the exercise of your high office in this Colony, it would be found in the vast concourse of our fellow colonists, of every rank or class, who now attend you, and who in taking their farewell, desire to express their earnest wishes for your Excellency's future happiness and welfare.

Sympathising deeply as we do with yourself and your family in the grievous loss which you and they have sustained in your being thus early removed from this Government, it is consolatory to us to know that your honour and reputation are untarnished, and that you are the victim of a selfish, vindictive, and unscrupulous faction, which for the last 15 months has been persistently misrepresenting your conduct, and abusing the credulity of her Majesty's Imperial Government.

We believe that this policy has been persevered in, and has prevailed, because your Excellency has, throughout our late political difficulties, now happily surmounted, been constitutionally neutral between this faction and the great majority of the people; and, more particularly, because your Excellency has refused actively to assist the former towards procuring the control of the fiscal policy of the country, and the paramount administration of our Crown Lands.

The recent vote of the Legislative Assembly of Victoria, by which 49 members in a house of 64 have indicated their unabated confidence in, and respect for your Excellency, ought, we conceive, to be sufficient to satisfy impartial observers, that those most competent to form an accurate estimate of your Excellency's conduct have pronounced favourably upon it; but we regret that we are obliged to admit that we have little confidence that even such constitutional expressions of opinion will avail much with her Majesty's present Secretary of State for the Colonies, influenced, as he appears to have been, by private or sectional influences at work in Melbourne and London against Parliamentary government in Victoria. We deeply deplore that we are compelled to arrive at this conclusion; we cannot but recognise in the success of this faction, against your Excellency, the germ of possible future disaffection of our people towards the mother country. We believe that your Excellency can conscientiously inform your royal mistress, our gracious and beloved Queen, that no people within her empire entertain a more loyal devotion for her Majesty's throne and person than do the people of this Colony; but we also desire respectfully to express our belief that no loyalty whatever can long be proof against the operations of those who, working for mere sectional interests, can successfully invoke the unnecessary interference of the Imperial Government with the legitimate action of our own Parliamentary constitution.

With our most ardent hope that Her Most Gracious Majesty, with that tender regard to justice and to the interests and happiness of Her people which have ever distinguished her reign, and endeared Her to Her subjects, will, in Her Royal pleasure, speedily afford your Excellency the means of vindicating your conduct, and recovering Her confidence, we now most respectfully bid you Farewell.

Sandridge, 7th May 1866.

Mr. Rolfe,

I WISH I could convey to you and the countless thousands of the inhabitants of Victoria who are now assembled to bid me farewell, even a faint idea of the feeling with which I am at this moment filled. As it is, I can only thank them from the bottom of my heart for the repeated testimony they have borne of their confidence in my public honour and integrity, and in my desire to conduct this government in accordance with the broad principles of the British Constitution. That the providence of Almighty God may watch over this land and its inhabitants will ever be the object of my earnest prayer.

Sandridge, 7th May 1866. (signed) *C. H. Darling.*

Enclosure 2, in No. 1.

Encl. 2 in No. 1.

May it please your Excellency,—

WITH feelings of deep regret, the working people who have this day assembled to bid you adieu, on your departure from Victoria, have deputed us to present you with this memorial of their regard for yourself personally, and for the services which you have rendered to this Colony during your brief term of office; desiring at the same time to express their sorrow for the course which has been taken by the Home Authorities in recalling you from this government because of misrepresentations of fact which have been conveyed to the Secretary of State for the Colonies, by persons who are known to be interested parties, and disaffected towards our liberal institutions.

We most heartily desire that Her Majesty may never be induced to doubt the loyalty of her devoted subjects in this Colony, which bears her honoured name.

To your Excellency, as Her Majesty's representative, as well as in your private character as an English gentleman, we respectfully tender our sympathy with your most unmerited misfortune, which we doubt not will yet be redressed by our gracious Queen, as only the just sovereign of a free people can redress a wrong inflicted upon a faithful servant and subject.

It must be some gratification to your Excellency to know that your conduct in this government has won the gratitude and admiration of the great mass of the community, as has been shown by the numerous and influential meetings which have spontaneously assembled to express their feelings in all parts of the Colony since the arrival of the English mail, and is further testified by the immense gathering of all classes now present to give you God speed.

We trust that we are not looking upon your Excellency for the last time. The services which you have rendered to us, and the wrongs which you have suffered in our cause, will never be forgotten in the land, and we humbly hope that our observance of order and obedience to law during a crisis of unexampled severity, while the struggle in which our welfare as a people was involved, was pending, will prove a comfort to yourself in your hour of trial, and a sufficient answer to your and our enemies who have assailed you.

With heartfelt prayers for your Excellency's welfare, and for that of your amiable lady and family, we humbly offer this our farewell address to your keeping, with the assurance that your Excellency must triumph over your accusers, for the history of our race has taught that God defends the right.

Sandridge, 7th May 1866.

MOST heartily I thank the working people of Victoria for this memorial of their personal regard; and for the strong expression of their belief that in my conduct of the administration of the government I have been faithful to the trust which our gracious Sovereign was pleased to repose in me, when she appointed me to represent Her in this great dependency of Her crown. It will ever be to me a sacred duty to declare my conviction of the loyalty to Her Majesty's throne and person, the spirit of obedience to the law, and the ardent love of constitutional government, which so strongly distinguish the industrial classes of the population of Victoria. In now bidding them farewell, I assure them I shall never cease to feel the deepest and sincerest interest in their future prosperity and happiness.

(signed) *C. H. Darling.*

Sandridge, 7th May 1866.

— No. 2. —

No. 2.
Sir C. Darling, K.C.B., to the Right Hon. E. Cardwell, M.P.
16 May 1866.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable *E. Cardwell*, M.P.

Sir, Sydney, New South Wales, 16 May 1866.

I HAVE the honour to request that you will be pleased to submit to Her Majesty the Queen the humble petition which I enclose.

It proceeds from myself, and its prayer is to the effect that Her Majesty may be graciously pleased to appoint any tribunal which in Her Majesty's wisdom may seem fit, before which the whole of my conduct as Governor of Victoria, but especially that part of it upon which the reasons for my recall are based, may be subjected to the strictest investigation.

I have, &c.
(signed) *C. H. Darling.*

Enclosure in No. 2.

Encl. in No. 2.

To the Queen's Most Excellent Majesty.

The humble and dutiful Petition of Sir *Charles Henry Darling*, Knight Commander of the Most Honourable Order of the Bath, late Governor of the Colony of Victoria,

Respectfully showeth,

THAT in the month of June 1863 your Majesty's petitioner was, by your Majesty's Royal Letters Patent, appointed to the office of Governor and Commander in Chief of the Colony of Victoria, during your Majesty's pleasure.

That by one of the rules and regulations, established with your Majesty's approval for your Majesty's Colonial service, it is declared that the appointment of a Governor is "limited in its duration to a period of six years from the assumption of their functions; but Her Majesty's Government reserves to itself the power of prolonging that period."

That your Majesty's petitioner assumed the office of Governor of Victoria in the month of September 1863.

That by a Despatch, dated the 26th February 1866, from the Right Honourable Edward Cardwell, one of your Majesty's Principal Secretaries of State, your petitioner was apprised that your Majesty had, by the said Secretary of State, been advised to relieve your Majesty's petitioner of his duties as Governor of Victoria, and to place the government of that Colony in other hands.

That by the same Despatch your Majesty's petitioner was informed that the advice thus tendered to your Majesty was based upon the ground that your Majesty's petitioner occupied a position of "personal antagonism towards almost all those whose antecedents point them out as most likely to be available" to your petitioner in the event of any change of ministry; and that this antagonism had, in the opinion of the Secretary of State, resulted from proceedings in two particular cases on the part of your Majesty's petitioner, which are specifically referred to in the said despatch, and which were regarded by your Majesty's Secretary of State as being unauthorised by law.

That a few days after the despatch of your Majesty's Secretary of State was written, and before it had reached your Majesty's petitioner, certain other proceedings of your Majesty's petitioner, which took place upon the occasion of the resignation of his Ministers, had conclusively shown that no such personal antagonism as that supposed by your Majesty's Secretary of State to prevail between your Majesty's petitioner and the persons referred to, did in truth exist on either side; one of the most prominent amongst those persons having, in fact, undertaken the task of forming a new ministry at the request of your Majesty's petitioner, and in which task he failed solely from causes beyond the control of your Majesty's petitioner.

That, furthermore, the non-existence of such antagonism has been admitted and declared by others amongst the persons in question, who are in the habit of taking a leading part in the public affairs of the Colony.

That the Secretary of State's Despatch was written before he had received from your Majesty's petitioner the explanations rendered necessary by previous despatches from that functionary, which despatches are apparently dictated under a misapprehension not only of facts, but also (as your Majesty's petitioner believes) of the law of the Colony of Victoria.

That those explanations show that of the two alleged acts on the part of your Majesty's

petitioner, one was not contrary to law; and that the other, if not actually sanctioned by statute law, was adopted in order to meet a public emergency of the most pressing nature; and, under the deliberate opinion of the law officers of the Crown, that it was within the legal competency of the Government to take.

That, therefore, those acts were not such as could justly have created personal antagonism to your Majesty's petitioner on the part of any of your Majesty's subjects in Victoria.

Furthermore, your Majesty's petitioner humbly represents that the acts referred to on the part of your Majesty's petitioner, arose out of differences between the Legislative Council and the Legislative Assembly of Victoria, which had continued for a period of 15 months.

That these differences were finally composed and settled upon the very day on which your Majesty's petitioner received your Secretary of State's Despatch, signifying that your Majesty had been pleased to recall him from the Government of Victoria.

That this composition and settlement were to a great extent effected by the exercise on the part of your Majesty's petitioner of the constitutional powers of his office, and by the adoption of a course suggested to his ministers by your Majesty's petitioner; and that they resulted in the immediate passage of an Act by both branches of the Legislature, without a division in either, which was assented to, on your Majesty's behalf, by your Majesty's petitioner; and which Act gave in effect the sanction of statute law to the proceedings on the part of your Majesty's petitioner, which have been hereinbefore referred to.

That the important part taken by your Majesty's petitioner in effecting this settlement is testified to by the present Legislative Assembly, a body elected since the proceedings on the part of your Majesty's petitioner hereinbefore referred to, as disapproved by your Majesty's Secretary of State, had altogether ceased, as will appear from the address of that body to your Majesty's petitioner, hereunto annexed, as well as from the numerous petitions forwarded to the Secretary of State for submission to your Majesty, from public meetings of your Majesty's subjects held in all the great centres of population in the Colony of Victoria, and in many other places therein.

That your Majesty's petitioner humbly submits to your Majesty, that by the advice which has, in this instance, been tendered to your Majesty, a grievous wrong has been inflicted upon his public reputation, acquired during a service of more than eighteen years, as your Majesty's representative in several of the Colonial possessions of your Majesty's Crown; and that absolute pecuniary ruin has been unjustly entailed upon himself and his family.

That your Majesty's petitioner feels confident that he can show to the satisfaction of any impartial tribunal your Majesty may be pleased to appoint, not only that the foregoing statement is strictly consistent with truth, but that the conduct of your Majesty's petitioner may be regarded as free from blame in all the matters which have been laid to his charge, as well in the representations from persons resident in the Colony of Victoria, which have been already submitted to your Majesty, as in other accusations which are either stated or implied in the despatches addressed to your petitioner by your Majesty's Secretary of State.

Your Majesty's petitioner, therefore, humbly prays that your Majesty may be graciously pleased to appoint such a tribunal as in your Majesty's wisdom may seem best, before which, if it so please your Majesty, every act of the administration of the government of the Colony of Victoria by your Majesty's petitioner may, immediately after his arrival in England, which will probably take place some time in the month of August next, be submitted to the most rigid scrutiny and investigation.

Your Majesty's petitioner humbly and earnestly implores your Majesty to grant this request, because he is convinced that by no other means can he effectually defend his conduct against charges which appear to your Majesty's petitioner to have acquired much of the weight which attaches to them, not only from a misapprehension of facts, but from a disregard of the statements and allegations contained in the representations and reports which it has been the duty of your Majesty's petitioner to make to your Majesty's Secretary of State.

Your Majesty's petitioner, in conclusion, prays your Majesty's gracious permission to annex to this petition copies of letters addressed to him by your Majesty's late Minister, the lamented Duke of Newcastle, in the year 1862; and of addresses received from various public authorities and bodies of inhabitants of the Colonies of St. Lucia, Cape of Good Hope, Newfoundland, and Jamaica, in which he has heretofore had the high honour of representing your Majesty, which your Majesty's petitioner believes will sufficiently establish the satisfactory nature and character of the public services of your Majesty's petitioner up to the date of his appointment to the government of the Colony of Victoria.

And your Majesty's petitioner will, as in his duty bound, ever pray.

Sydney, New South Wales,
16 May 1866.

C. H. Darling.

To His Excellency Sir *Charles Henry Darling*, K.C.B., Governor and Commander-in-Chief of the Colony of Victoria, &c. &c. &c.

MAY it please your Excellency, we, the Members of the Legislative Assembly of Victoria in Parliament assembled, have learned with extreme regret that Her Majesty has been advised to recall you from the government of Victoria.

2. We cannot be unmindful of the great and unprecedented difficulties with which your Excellency has been beset, nor of the fact that had your Excellency adopted any other course of administration, the unhappy differences between the Houses of Legislature would not have been satisfactorily adjusted.

3. We are greatly beholden to your Excellency for your steadfast adherence to the principles of constitutional government, and recognise in your Excellency's conduct a determination to rule by the advice of your responsible ministers. We do not hesitate to express our conviction that if your Excellency had adopted the opposite course—if you had attempted to give effect to the opinions of the minority, the political contest, now happily at an end, would still be raging to the great injury of the country.

4. We, therefore, thank your Excellency for having saved the Colony from anarchy, and for having effected a settlement of the serious political differences from which we have just emerged. Especially we thank your Excellency for not having interposed to influence the operation of responsible government, to the possession of which, as British subjects, we have never ceased to be entitled.

5. We beg, at the termination of your Excellency's official connection with this Colony, to express the deep and sincere interest we feel in your Excellency's future welfare, and in that of your family; and we desire also to express our belief that the wide-spread regret publicly manifested at your Excellency's recall from the Government, will afford to your Excellency the best assurance that you leave these shores possessed of the general respect and sympathy of the people of this Colony.

Sir, Downing-street, 24 May 1862.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 14th instant, requesting that the abstract which you enclose of your services under the Crown may be placed on the records of this department.

His Grace desires me to assure you that he has pleasure in being thus enabled to place upon record, in a summary but authentic shape, a specification of the arduous, important, and approved services which you have rendered to the Crown.

I am, &c.

Governor Darling, &c. &c. &c. (signed) *C. Fortescue.*

Sir, Downing-street, 30 July 1862.

I HAVE the honour to acquaint you that the Queen has been graciously pleased to confer on you the distinction of a Knight Commander of the Civil Division of the Order of the Bath.

I trust that this mark of the Royal approbation will be acceptable to you. It has given me much satisfaction to recommend to Her Majesty that your long and effective public services should be thus distinguished.

I have, &c.

Sir C. H. Darling, K. C. B. &c. &c. &c. (signed) *Newcastle.*

At a Meeting of Members of the Council and House of Assembly, held the 18th day of November 1847, in Saint Iago de la Vega, the following Address to *Charles Henry Darling*, Esq., was unanimously agreed to:

Sir,

WE, the undersigned, Members of Her Majesty's Council and the House of Assembly of Jamaica, on the eve of your departure to assume the government of Saint Lucia, cannot refuse ourselves the gratification of offering to you our warm congratulations.

In selecting you to fill that office, we are assured Her Majesty's Ministers have made an appointment which will prove satisfactory and beneficial to those over whom you are about to preside. The ability with which you have discharged your public duties in this island have entitled you to our highest respect, while, in the circles of private society, your courteous and affable demeanour will be long held in pleasing remembrance. Most heartily do we wish you every success in the new and honourable field upon which you are entering, and sincerely shall we rejoice to hear of your own and your family's well-being and happiness, wheresoever Her Majesty's service may hereafter call you.

Members of Her Majesty's Council.

J. Gayleard, President.
J. Rowe, C. J.
T. J. Bernard.
Edward Panton.
Dn. Robertson.
W. D. Turner.
Alexander Bravo.

Members of House of Assembly.

S. J. Dallas, Speaker.
A. Banlay.
Edwd. Chas. Nevat.
Saml. Magnus.
R. Osborn.
A. Gregory Johnston.
Charles Lake.
H. Ma. Blagrougn.
P. Laurence.
Wm. Wemyss Anderson.
Wm. M. Marsh.
P. Harrison.
H. J. Swnginnetti.
Wm. Rose.
J. S. Brown.
James Taylor.
Hinton Spalding.
Baynes W. Smith.
Charles H. Jackson.
Edwd. Fidyarg.
J. Davidson.
Geo. W. Gordon.
Edward Jordon.
D. Hart.
John Aris.
John Forster, Jr.
J. V. Purrier.
R. J. C. Hitchins.
Henry Franklin.
Robt. C. Carr.

To His Excellency *C. H. Darling*, Esq., Lieutenant Governor of the Island of Saint Lucia.

The Humble Address of the undersigned Inhabitants of the Island of Saint Lucia.

May it please your Excellency,

An opportunity is afforded to the inhabitants of this Colony, which we, the undersigned, gladly embrace, of expressing our feelings and sentiments towards your Excellency for the able and enlightened manner in which your Excellency has administered the affairs of this Crown Colony since it pleased our gracious Sovereign to appoint you our Lieutenant Governor. After a residence of about three years and a half, conducting the arduous and important administrative duties of your office, it has pleased Her Gracious Majesty to grant your request, and allow you a leave of absence from the Colony, to enjoy a respite from the cares and anxieties of Government.

It would perhaps be difficult to point out a period since the Island became a British Colony, in which sound judgment and discretion, practical experience in West India and Colonial affairs, and an intimate acquaintance with official duties and forms of every kind were more needed than during the eventful one your Excellency has resided among us as local Head of the Executive; and we esteem it at once a bounden duty and sincere pleasure to seize the present occasion of conveying to you the high sense we entertain of the efficient manner in which your Excellency has discharged those duties, and displayed those high qualities and virtues, which have been pre-eminently called forth during your administration.

In the limits usually prescribed to an address, it would be impossible to enter fully into the various topics we allude to, as having engaged, and incessantly required your Excellency's watchful and unremitting attention; we can but glance at some of the most prominent of them.

When your Excellency landed on our shores, you found this community greatly excited and disturbed on the determination of an inquiry, just then concluded, into the misunderstanding which had long existed between one of our late Military Governors and the late Chief Justice; and your Excellency laboured, and not in vain, to allay this excitement, and restore harmony and goodwill.

Your Excellency had not long been in the Colony before the extensive peculations, so long and so systematically carried on in the Treasury Department, were brought to light, and the discovery at once deprived your Excellency of the official services of one whose long experience in his double capacity of Colonial Secretary and Treasurer, ought to have been of most essential service to you, and would have been a most serious deficiency had not your Excellency been able to fall back upon your own practical experience in such matters; and the manner in which your Excellency conducted this most painful and tedious investigation, and thoroughly sifted it, has excited our most sincere gratitude and admiration. The corruption, confusion, and total disorganization which were thereby discovered to prevail in both the departments of the Colonial Treasurer and Secretary then obtained your Excellency's immediate attention, and led to an entire cleansing and remodelling.

Many improvements have likewise been introduced into our courts of justice, with your Excellency's full approval and encouragement, in the minor as well as in the Supreme Court; but perhaps the most important and beneficial has been the acquisition of the talent and experience of his Honor Sir R. B. Clarke, to administer justice in our Supreme

Supreme Criminal Court, as well as to preside over our newly constituted Court of Appeal in civil affairs, which measure your Excellency zealously advocated.

To your Excellency's persevering exertions, also, the community is mainly indebted for the important step made towards self-government and liberal institutions in the corporation ordinance under which the town council of Castries has been already organized, and has commenced active operations.

The solicitude which your Excellency has invariably manifested to promote the interests of the Colony, by means of emigration, is appreciated by all.

The anxiety and comprehensive view displayed by your Excellency in your attempts to restore confidence in the minds of British capitalists, by setting forth the inexhaustible natural resources of our soil, and to revive the drooping spirits of the agricultural portion of the community under the pressure of most trying circumstances, have called forth our esteem and highest approbation.

Neither have the all-important concerns of religion been neglected; your Excellency has procured the passing of a law to secure the better observance of the Sabbath, while both by precept and example you have ever sought to advance its interests. The promotion of education has also ever been zealously recommended and encouraged by you.

The introduction of a better system of agriculture, aided by improved implements and recent discoveries of science, has been repeatedly brought under the consideration of the agricultural portion of the community by your Excellency in various ways, and pressed upon their attention; which efforts we trust will not fail to enkindle a spirit of enterprise which will prove eminently conducive to the general prosperity of the Colony.

In short, your Excellency leaves this Colony, as it regards its tranquillity and prospects, in a state very different from that in which you found it; and the recollection of the important benefits derived from your Excellency's administration cannot fail to live long and gratefully on our remembrance, since we cannot but feel that this salutary change has been mainly brought about by the experience, sound judgment, energy, and love of justice, which your Excellency has brought to bear upon all the branches of your administration.

We take leave of your Excellency with the hope and anxious desire to have you restored to us again in renewed health and vigour; and it is our sincere desire and prayer that your contemplated visit to England may be beneficial to you in every way. And should any event occur to deprive this community of the benefit of your future administration, we assure your Excellency we shall still take a deep interest in your welfare, wherever it may please Providence that your future lot shall be cast.

Castries, St. Lucia,
25 June 1851.

N. M. Clavies, M.D., proprietor.
A. Cools, Dean of the Bar.
J. N. A. Aubert, Member of Council.
James Macfarlane, M.D.
A. Sceirquarz, P.P. of Castries.
William Muters, proprietor and merchant.
Bourgeois Brothers & Co., merchants.
Const. Bourgeois & Co., M. Council.
P. Giffard, pharmacieu and proprietor.
C. H. Wells, proprietor of the "Palladium."
Henry H. Breen, mayor of Castries.
A. McCombie, banker and proprietor.
C. Mallet Vares, Solicitor General.
C. Marucheau, notary public.
J. V. Drysdale, Colonial Secretary.
A. C. Ernest Geneteau, proprietor and merchant.
Edward William Barnes, clerk, police office.
J. G. Porter Atthill, Resident Puisne Judge.
R. G. McHugh, H.M. Treasurer.
Raymond B. Tamphile, merchant and proprietor.
Josh. Goodsir, Comptroller of Customs.
Her. H. Martin, Special Justice, 1st District.
L. Lutrade, clerk, treasurer's.
Chs. Js. Delomel, proprietor.
X. Geneteau.
John Metcalfe, merchant.
R. F. Ceneavir, printer.
J. H. Jennings, Special Justice, 2nd District.
Robert Reid, Superintendent Miro Schools.
Lt. Lalaze, Attorney General.
William Leon, police magistrate and J.P.
Samuel Bee (H. Master).
A. McCombie, junior, Colonial landing-waiter and proprietor.
Abel A. Jones, Acting Controller and Auditor.
Charles J. Fauchier, proprietor.
John Camsell.
Alexander A. Hosten, printer.
J. M. Antoine, proprietor.
Frans. Duniz, Deputy Postmaster and Govt. Int.
L. Haudon, merchant and proprietor.
Chr. Bennitt.
P. W. Marshe.
W. H. Spellen, *a. e. g.*
F. Rupert, printer.
Peter H. McCuoiljiy, blacksmith and proprietor.
Jacob Vogel, gaoler and proprietor.
Ar. Hardy, planter.
E. J. Hawkins, minister of Trinity Church.
C. H. Martine, planter.
J. Cowell, planter.
Hyppolite Constantio, planter.
Richard Birch, planter.
J. Doizon Decullez, proprietor.
George McLeod, town clerk and treasurer, proprietor.
F. Hardy, planter.
Joseph Brais, planter and proprietor.
Rayman S. Lartigue, merchant.
J. Dayne, planter.
A. Fleming.
W. J. Miller, proprietor and planter.
James Morrison, blacksmith.

B. Lamorquez.
D. Minviette, proprietor.
A. S. Loroque, proprietor.
A. Laffite.
Thomas Innes, C.E.
M. Larber, planter.
David G. Miller, accountant.
D. Meikle, accountant.
H. Nugent.
Thomas Decaille, proprietor.
Robert Caffyn.
L. O. Gilbert.
C. Caffyn, Colonial landing-waiter, warehouse-keeper, and proprietor.
H. Minvielle.
Narcittee Mellett.
A. Charles Steen, clerk of Audit Office.

ADDRESS to His Honor *Charles Henry Darling*, Esq., Lieutenant Governor of the Colony of the Cape of Good Hope.

THE following is the Address of the Legislative Council to his Honor the Lieutenant Governor:—

To His Honor Charles Henry Darling, Esq., Lieutenant Governor of the Colony of the Cape of Good Hope.

May it please your Honor,

THE Legislative Council in Parliament assembled, in acknowledging your Honor's message, announcing the appointment by Her Gracious Majesty of Sir George Grey, K.C.B., as the Governor of this Colony, take the opportunity of expressing to your Honor their sense of the ability, integrity, and independence which have marked your Honor's administration of the affairs of this widely-extended Colony since the period when you first assumed its government.

In congratulating your Honor on the establishment of a constitutional form of government in this Colony, we may be permitted to express our belief that the harmony which has hitherto existed between the several branches of the Legislature may be traced to the judicious course of policy pursued by your Honor, of whose anxiety to carry out the liberal form of government conceded to the Colony, in all its integrity, we bear willing testimony.

The Legislative Council have noticed, with much satisfaction, that Her Gracious Majesty has been pleased to recognise your Honor's services in this and other of Her dependencies, by appointing your Honor to a high office in another portion of Her Majesty's dominions.

In retiring from the government of this Colony, involving, as it does, high responsibility, bearing on the welfare of various classes and races of men, your Honor will carry with you the esteem and respect of those whose interests have been confided to your charge.

Anticipating the period when your Honor's official connection with this Colony will cease, the members of the Legislative Council desire to record their cordial wishes for the health, welfare, and prosperity of Mrs. Darling, yourself, and family, wherever, under the guidance of a beneficent Providence, your lot may be cast.

ADDRESS to His Honor *Charles Henry Darling*, Esq., Lieutenant Governor of the Colony of the Cape of Good Hope.

ON Monday, according to resolution, the Speaker and the House of Assembly, waited upon his Honor the Lieutenant Governor, and presented the following address:—

To His Honor Charles Henry Darling, Esq., Lieutenant Governor of the Colony of the Cape of Good Hope.

May it please your Honor,—

THE House of Assembly, in Parliament assembled, begs leave to acknowledge your Honor's message, transmitting a Despatch of Her Majesty's Secretary of State, dated 6th July 1854, announcing the appointment of Sir George Grey, K. C. B., as future Governor of this Colony, and the consequent recall of your Honor from the administration of government.

The House of Assembly regrets your removal from amongst us will take place too soon to permit you to see the perfect development of the new form of government which it was your pleasing duty to inaugurate.

Yet it must be a source of profound satisfaction that your Honor has witnessed the foundation and successful commencement of a system of free and constitutional government of which your Honor has been the sincere friend and steady advocate.

The House of Assembly desires respectfully to express its acknowledgment of the able, independent, and conciliatory policy pursued by your Honor since you held office in this Colony, and its sense of the warm interest you have taken in the prosperity of the Settlement.

The House of Assembly rejoices to believe that you retire carrying with you the respect and esteem of the inhabitants of the Colony, and it will afford the House pleasure to learn that your meritorious services have met with their just recognition by our Gracious Sovereign.

ADDRESSES to His Excellency Governor *Darling*.

Newfoundland, April 1857.

ON Saturday last a deputation waited on his Excellency, Mr. Darling, to present the address of the inhabitants of this city, prior to his Excellency's departure. His Excellency was attended on the occasion by the Hon. Colonel Robert Law and staff, and the Executive Council. The deputation was composed of the following gentlemen: Honourables G. H. Emerson, Dr. Carson, T. Row, P. Duggan, John Fox; A. Shea, Esq., Speaker of the Assembly; Walter Grieve, Esq., President of the Chamber of Commerce; John Macgregor, Patrick Tasker, Stephen Rendell, John Bond, Patrick Morris, M.H.A., E. D. Shea, M.H.A., G. J. Hogsett, M.H.A., Clement Benning, M.H.A., Terence Halern, Robert Kent, Pierce Feehan, John Stuart, William Coyell, Charles Power, Patrick Brazil, William Cody, Esquires.

The address was presented by the Honourable the Speaker, who explained that it was written before the intelligence had been received of the abandonment of the Convention by Her Majesty's Government; he said that, in the promptitude with which the desires of the people of the Colony had thus been met, the deputation recognised the influence of his Excellency's faithful representations of the opinion of the country on that most important subject, and that while this course so fully accorded with their views, they were gratified to find it had also deservedly obtained for his Excellency the marked approval of Her Majesty's Government. Had the information been received earlier, the deputation were assured the sentiments here expressed would have been embodied in the address:—

To His Excellency *Charles Henry Darling*, Esq., Governor and Commander in Chief in and over the Island of Newfoundland, and its Dependencies.

May it please your Excellency,

WE, the undersigned inhabitants of St. John's, on the eve of your Excellency's departure from amongst us, beg to tender our best wishes for your future prosperity.

During your Excellency's administration of the government of this Colony, we have observed not only the ability and high integrity of your conduct, but the earnest wish you have at all times shown to advance the interest of the people at large; nor can we refrain from thanking you for having informed Her Majesty's Government that the feeling of the people of this Colony on the subject of the late convention, is one of common hostility to its provisions, and we feel that while this truthful representation of our views is calculated to assist the efforts the Colony is now making to defeat that measure, it at the same time tends to an issue the most conservative of the honour and integrity of the British Crown.

We trust that in the more exalted sphere which Her Majesty has assigned you for the exercise of your abilities, you may find a residence in accord with your best wishes; and in bidding you farewell, be assured that Mrs. Darling and yourself carry with you our warmest desires for your future happiness.

St. John's, Newfoundland,
April, 1857.

† John T. Mullock, Catholic Bishop of St. John's.
Francis Nicol, Minister Established Church of Scotland.
Kyran Walsh, P. P.
Thomas Harris, W. M.
Michael Walsh, C. C.
James Dove, W. M.
Lawrence O'Brien, President of L. C.
John Rochford, M. D., M. L. C.
J. J. Rogerson, M. D., M. L. C.
Philip Duggan, M. D., M. L. C.
Ed. Newfoundland, Lord Bishop of Newfoundland.
Edward Troy, P. P.
Thomas M. Wood, E. M.
M. Harvey, Minister Free Kirk.
George Schofield, C. M.
George Henry Emerson, Acting Assistant Judge.
Walter Grieve, President of the Chamber of Commerce.
Thomas Bennett, J. P.
P. W. Carter, J. P.
Samuel Carson, M.D., M.L.C.
Thomas Row, M.D., M.L.C.
James Tobin, M.D., M.L.C.
John Fox, M.D., M.L.C.
Ambrose Shea, Speaker House of Assembly.
Philip F. Little, Attorney General and M.G.A.
Thomas Glen, Receiver General and M.G.A.
Ed. Hanrahan, Surveyor General and M.G.A.
Robert J. Parsons, M.G.A.
Thomas Knight, M.G.A.
John Delaney, M.G.A.
Clement Benning, M.G.A.
George J. Hogsett, M.G.A.
M. J. Kelly, M.G.A.
E. D. Shea, M.G.A.
Patrick Morris, M.G.A.
Thomas Byrne, M.G.A.
John O'Mara, gentleman.
James Bayly, gentleman.
John Bowring, merchant.
John H. Cozens, merchant.
James Briden, merchant.
Patrick Kough, gentleman.
George Bennett, gentleman.
Elias Rendell, gentleman.
John Little, solicitor.
Richard Holden, gentleman.
Archibald Emerson, gentleman.
Richard B. Holden, gentleman.
Robert R. W. Lilly, gentleman.
John Stuart, gentleman.

Neil M'Dougal, merchant.
David Baird, merchant.
James Chalmers, merchant.
D. J. Henderson, merchant.
William Kelligrew, merchant.
John Boyd, merchant.
John Kavanagh, merchant.
Philip Hutchings, merchant.
Francis M'Dougal, gentleman.
John Harris, gentleman.
W. V. Whiteway, barrister.
R. J. Pinsent, jun., barrister.
Thomas Kough, barrister.
Patrick Hogan, trader.
Richard Howley, gentleman.
D. R. Bain, gentleman.
J. J. Dearin, dentist.
T. M'Connon, stationer.
E. L. Jarvis, gentleman.
Joseph Shea, M.D.
George F. Bown, merchant.
William Pitts, merchant.
Patrick Doyle, J. P.
William L. Solomon, P. G.
B. G. Garrett, gentleman.
F. C. K. Hepburn, merchant.
Patrick Tasker, merchant.
William Boyd, merchant.
Stephen Rendell, merchant.
Nicholas Cusack, merchant.
Lewis Tessier, merchant.
Richard O'Dwyer, merchant.
Charles Crowdy, M.D.
W. L. Anthony, gentleman.
John M'Gregor, gentleman.
W. Bindon, gentleman.
Robert Alsop, merchant.
Robert Kent, merchant.
Samuel G. Archibald, merchant.
William Rendall, merchant.
W. F. Wilson, merchant.
John Bond, merchant.
David Steele, merchant.
Nicholas Mudge, merchant.
G. Ehlers, gentleman.
W. H. Mare, merchant.
Edward Morris, gentleman.
John V. Nugent, sheriff.
Henry H. Stabb, M.D.
J. S. Rutherford, merchant.
J. W. Smith, banker.
John Warrington, gentleman.
John Bully, gentleman.
E. Duder.
T. Hallern, schooner owner.
Charles Power, schooner owner.
Thomas Butler, schooner owner.
J. C. Toussaint, gentleman.
George F. Hayward, gentleman.
Henry Jack, banker.
Henry Simms, gentleman.
F. H. Simms, gentleman.
William Wheatley, gentleman.
John M. Brine, gentleman.
George Lash, gentleman.
Pierce Feehan, schooner owner.
Alexander Mitchell, gentleman.
Duncan Weir, grocer.
John Goodridge, merchant.
E. L. Moore, gentleman.
James J. Hayward, gentleman.
J. B. Morris, gentleman.
Walter Dillon, gentleman.
George Anderson, gentleman.
W. F. Rennie, gentleman.
Charles Loughlan, dealer.
C. H. Renouf, M.D.
Fred. Bunting, M.D.
Denis Mealey, schooner owner.
Thomas Talbot, gentleman.
Patrick Jordan, trader.
James A. Jordan, trader.
Thomas Coyall, trader.
Valentine Merchant, gentleman.
Randal Green, gentleman.
Wm. J. Ward, editor.
J. W. M'Coubrey, editor.
Thomas Tarahan, dealer.
John Lynch, dealer.
William Fitzpatrick, dealer.
Jeffrey Lash, dealer.
William Coyall, architect.
John Steer, shopkeeper.
William Gill, gentleman.
Cornelius Denehy, gentleman.
William B. Dryer, gentleman.
Patrick Brazil, gentleman.
William Hogan, trader.
John Dunn, trader.
Thomas Mulloy, trader.
James Fitzpatrick, trader.
J. J. Graham, stationer.
Charles R. Ayre, gentleman.
J. M'Laughlan, gentleman.
William Coady, schooner owner.
P. J. Power.
Maurice Prendergast, dealer.
John Canning, gentleman.
Thomas Avery, gentleman.
Peter M'Pherson, dealer.
George Emsley, grocer.
William Kelly, gentleman.
George Rowland, gentleman.
Thomas Devereux, tradesman.
Patrick Hearn, trader.
W. G. Flood, barrister.
W. F. Parsons, gentleman.
Patrick Daley, gentleman.
George Prendergast, gentleman.
James Malone, gentleman.
Denis Mealey, schooner owner.
Thomas S. Dwyer, dealer.
Henry Earle, gentleman.
Michael Scanlan, gentleman.
Jonas Barter, gentleman.
Laurence Mackassy, dealer.
James Woodford, gentleman.
Michael Comerford, gentleman.
Robert Meaney, gentleman.
John Davidson, gentleman.
James Marnell, gentleman.
J. C. Withers, Queen's pr.

And 622 others.

The following Addresses from the Executive Council and from the Inhabitants of Harbour Grace were also presented on Saturday last; the latter by deputation, consisting of the Hon. *T. H. Ridley* and *John Hayward*, Esq., M.G.A. :—

To his Excellency *Charles Henry Darling*, Esq., Governor and Commander in Chief and Vice-Admiral in and over the Island of Newfoundland and its Dependencies.

May it please your Excellency,

THE Executive Council of Newfoundland are desirous of conveying to your Excellency, on the eve of your departure, their opinion of your integrity and ability in the discharge of the difficult and important duties, requiring the exercise of no ordinary tact and judgment, which have devolved upon you since you assumed the government of this Colony.

Owing to the confidential relation in which we have stood to you, we are the better enabled to bear testimony to your services, and, as an act of justice, we therefore point with pleasure to the moral courage and political sagacity which marked your conduct in the inauguration of Responsible Government in this island, and your cordial co-operation in the practical application of its principles, and in the general management of the public affairs, as well as to the lively interest you have always evinced in the prosperity of all classes of Her Majesty's faithful subjects in this most valuable dependency of the Crown.

The public are deeply indebted to you for your vigorous and truthful representations, not only of our opinions, but of the efforts of the Legislature and of the country generally against the late Fishery Convention; and it is a subject of mutual congratulation that you have been enabled, in terminating your connection with this Colony, to announce the abandonment of the convention by the Imperial Government, and to give an unequivocal guarantee of the "maritime and territorial rights" of the community of Newfoundland.

In conclusion, we trust that success may attend you in your new office of Governor General of Jamaica, and that you and your amiable and accomplished lady may find the change agreeable to your desires and conducive to your happiness.

On behalf of the Executive Council.

(signed) *Lawrence O'Brien*,
President.

Council Chamber, 18 April 1857.

To his Excellency *Charles Henry Darling*, Esq., Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,

WE, the undersigned inhabitants of the district of Harbour Grace, in the Island of Newfoundland, having heard of your Excellency's intended departure from amongst us, beg leave to convey to you the assurance of our sincere wishes for future happiness and prosperity.

We beg to express the high sense we entertain of the talent and ability with which your Excellency has, since the commencement of your administration, conducted the Government of this Colony, and of the hearty desire you have always evinced for the welfare and advancement of all classes of the inhabitants.

We thank your Excellency for the faithful representation made by you to Her Majesty's Government of the evil and ruinous effects that would result should the contemplated convention with France be finally confirmed; and we ardently hope that your remonstrances, in conjunction with the exertions now being made by the people of this colony, will, in the end, frustrate the unjust attempt to alienate the rights and privileges of those who have ever been loyal and faithful subjects of the Crown of Britain.

We sincerely hope that your Excellency may enjoy health and prosperity in your new and more exalted position; and we now beg to bid you farewell, and to assure you that Mrs. Darling, your family, and yourself carry with you our warmest wishes for your future happiness.

Harbour Grace, 8 April 1857.

(signed) Bertram Jones, Minister of St. Paul's Church.
Charles Dalton, V.G.
A. Ross, Presbyterian Minister.
John Hayward, M.G.A.
T. Harrison Ridley, M.L.C.
William Henry Ridley.
G. C. Gaden.
Charles Walsh, Missionary Upper Island Cove.
Arthur Thomey,
Robert Walsh.
John Mullally.
P. Devereaux.
J. S. Phinny, W.M.
Jas. L. Prendergast, M.G.A.
William Donnelly.
John Munn, M.L.C.
Andrew Rutherford.
Thos. Higgins.
Rob. J. Pinsent.
William Dow.
E. E. Brown.

E. E. Brown.
Lewis W. Emerson.
J. J. Roddick.
H. W. Trapnell.
William Allen.
John Stevenson.
Andrew Drysdale.
Thomas Kitchin.
Archibald Munn.
J. Fitzgerald.
Martin Kelly.
John J. Jillard.
Nathaniel Jillard.
Charles Walker.
Mark Pasrons.
James B. Drysdale.
Thomas Woolfrey.
John Byrne.
H. J. Moore.
Pierce Maher.
Robert S. Munn.
Johnston Burrows.
C. Watts.
Roger Hanrahan.
John Ryan.
Henry Rutherford.
R. Lee Whiting.
James Lampan.
Thomas Fitzgerald.

(And 153 others.)

The following Address from the Inhabitants of Carbonear was presented by the Honourable E. Hanrahan (Member of Assembly for that district) and the Honourable the Speaker:—

To his Excellency *Charles Henry Darling*, Esq., Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies.

May it please your Excellency,

We, Her Majesty's dutiful and loyal subjects, the clergy, magistrates, merchants, traders, and principal inhabitants of Carbonear, beg leave to approach your Excellency with sentiments of profound respect, gratitude, and affection on this occasion (your almost immediate departure from Newfoundland) to offer to your Excellency our heartfelt acknowledgments for the paternal care and solicitude which have been so clearly manifested in your Excellency's administration of the Government of this Colony during the two years which we have had the good fortune of having been made participators in the important advantages derived to the inhabitants of Newfoundland from the light of your Excellency's experience and knowledge in the arduous service of Government. Were it not for the momentous subject of the Fishery Convention, which had threatened so much ruin to the inhabitants of Newfoundland before the recent announcement of its final frustration, we should scarcely know what part of your Excellency's Government to refer to as claiming our warmest admiration, the whole was so unremittingly and so admirably carried out; but we cannot forbear to point in particular at the consummate address and wisdom displayed by your Excellency on the instant of your arrival in the Colony, when a new form of Government had to be established under circumstances which a master mind only could have accomplished with satisfaction to all parties.

Your Excellency's invaluable services in contributing to the defeat of the Fishery Convention (services approved of even by the Imperial Government) must ever insure to your Excellency the gratitude of every human being possessing at heart an interest in the well-being and prosperity of Newfoundland.

We feel at this moment but one drawback from the exultation which would otherwise wholly pervade our breasts, and this is the consciousness that our relative connection, which we have hitherto been so proud of, has arrived at its termination. We earnestly regret our loss, but we rejoice at the compliment paid by the Sovereign to your Excellency's superior qualifications, by transferring your valuable services to the important Government of Jamaica.

We sincerely wish your Excellency and Mrs. Darling and family every temporal and eternal felicity, and respectfully bid your Excellency farewell.

We have, &c.

(signed) †John Dalton.
James Brown, C. C.
John O'Conner, C. C.
R. Pack, J. P., merchant.
W. W. Bemister, J. P.
J. Rorke, J. P., [illegible]rchant.
Joseph Ryan, J. P.
Donald Bethune J. P., sub-col., H. M. C.
Michael Bolger.
W. H. Thompson.
John Thompson, M. D.
John Fletcher Apsey
Israel McNeil.
Frederick Bemister.
John M'Carthy.
John Mackey.
David Walsh.
M. W. Forward.
W. E. Shenstone, W. M.
Alex. O'Donovan.
Wm. Brown.
F. Taylor.
Philip Rorke.
Edward T. Pike.
Richard M'Carthy.
Stephen B. Pike.
Simon M'Carthy.
Moses Wilshear.
James Stapleton.
Nicholas Hanrahan.
Michael Pumphrey.
Michael Gould.
Patrick Brown.
Thomas Casey.
Maurice Doyle.
Michael Finn.

(With 200 others.)

Carbonear, 16 April 1857.

The

The subjoined Address from Members of the Legislative Council resident in St. John's was also presented to his Excellency :

To his Excellency *Charles Henry Darling*, Esquire, Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies.

May it please your Excellency,

We, the undersigned Members of the Legislative Council of Newfoundland, in acknowledgment of the eminent services you have rendered to the Colony, as well as of the urbanity shown by your Excellency towards us on all occasions of your intercourse with us, are desirous of obtaining an oil portrait of your Excellency, with a view to its being placed in the Legislative Council Chamber.

We therefore respectfully request that your Excellency will, as soon as you conveniently can, on your arrival in London, do us the favour to have your full-length portrait taken by any artist of celebrity you may think proper to employ for that purpose; and any expense that may be incurred on the occasion we shall be most happy to defray.

With best wishes for the health and happiness of yourself, Mrs. Darling, and family; and hoping that the voyages your Excellency is about to make, previous to your assumption of your new government of Jamaica, may be as auspicious as your Excellency could desire,

We have, &c.

(signed) L. O'Brien, President.
James Tobin.
T. Harrison Ridley.
T. Row.
Philip Duggan.
John Fox,
John Rochfort.
Jas. J. Rogerson.
Samuel Carson.

St. John's, 21 April 1857.

Copy of an Address presented to his Excellency Governor *Darling*, by the Inhabitants of Kingston, on the occasion of his departure from Jamaica, on Leave of Absence, in the Month of March 1862.

To his Excellency *C. H. Darling*, Esq., Governor of Jamaica, &c. &c.

Sir, Kingston, Jamaica, March 1862.

We, whose names are hereunto subscribed, desire, on your approaching departure on leave of absence from this island, to make known to your Excellency our high appreciation of your eminent services as Her Majesty's representative in this Colony.

We are fully impressed with the earnest intention of your Excellency, during your administration of the Government, impartially, faithfully, and with the best of your ability to discharge, for the mutual benefit of all classes of this community, the trusts delegated to you by Her Majesty the Queen.

We are of opinion that the Colony is deeply indebted to your Excellency for the valuable services which have of late years been rendered to this island during your Excellency's administration of the Government.

Unable at present to enter into any detailed estimate of your meritorious services, we cannot forbear assuring your Excellency that, with the greatest satisfaction and sincerest gratitude, we bear most willing testimony to the very exemplary part which your Excellency has, above all others, taken in promoting the real welfare of the Colony, in your unceasing, strenuous, and able advocacy of the cause of immigration, and of the increase of the population of the island, to an extent far more adequate to her vast and varied resources than, unfortunately, it yet contains.

We most cordially hope that Mrs. Darling and your Excellency may derive every advantage in health, happiness, and prosperity, from your trip to England; while we at the same time trust that God's blessing may accompany your return, and that your Excellency's resumption of the duties of your office may be attended with all the benefits which you desire, and which we have reason to anticipate from your past administration will result to all classes of the island.

We have, &c.

(signed)
A. Barclay, a Member of the Privy Council.
H. Westmoreland, a Member of the Privy Council and of the Assembly.
W. G. Freeman, a Member of the Privy Council.
A. G. Fyfe, a Member of the Legislative Council.
R. Hamilton, M. D., a Member of the Legislative Council.
Charles Levy, a Member of the Assembly.
George Solomon, custos of Portland, a Member of Assembly.
J. S. Williams, Queen's Advocate, a Member of the Assembly.
Henry T. Groves, a Member of the Assembly.
Robert A. Johnson, a Member of the Assembly.
George Henderson, a Member of the Assembly.
W. S. Paine, a Member of the Assembly.
R. Harris, a Member of the Assembly.
D. J. Alberga, a Member of the Assembly.
S. Altman, Coroner, medical practitioner.

Andrew Dunn, M.D.
M. Stern, M.R.C.S.E.
A. Fiddes, F.R.C.S.E.
Edward Robinson, M.D.
J. L. Ashenheim, medical practitioner.
A. J. Milne, M.A., minister of the Church of Scotland.
A. H. D. Levante, member of the Spanish and Portuguese Synagogue, and master of the Hebrew National Institution.
James Watson, Presbyterian minister.
George Cheyne, island curate, incumbent of St. George's, Kingston.
C. P. Street, stipendiary curate, Kingston.
William Griffiths, minister.
Abraham Hyams, United Methodist Free Churches.
R. R. J. E. Dupeyron, Vicar Apostolic.
Joseph S. Woollot, Roman Catholic clergy.
Joseph Dupont, Roman Catholic clergy.
A. Simond, Roman Catholic clergy.
Joseph W. Berthole, Roman Catholic clergy.
Charles T. May, rector of St. George's.
W. J. Gardner, London Missionary Society.
Thomas Hendrick, solicitor.
Thomas Lloyd Harvey, solicitor.
Alexander W. Ackman, solicitor.
Charles Harvey, master in chancery.
Daly Lewis, solicitor.
Edward B. Lynch, solicitor.
George Barnett, solicitor.
E. C. Smith, solicitor.
E. C. Mouatt, solicitor.
G. S. Airey, solicitor.
John Morce, notary public.
Henry J. Hemble, solicitor.
A. H. Drummond, solicitor.
John M. McNeil McPherson, solicitor.
Henry Vendries, solicitor.
John Nethersole, custos.
D. P. Trench, justice of the peace.
Joseph Francis, justice of the peace.
William Malalere, justice of the peace.
James Derbyshire, justice of the peace.
W. S. Stines, alderman, and J.P.
George H. Charanne, justice of the peace.
W. G. Astwood, justice of the peace.
W. S. Cooper, J.P., captain R.N.
Arthur Abrahams, J.P., late Member of Assembly.
Henry J. Bicknell, police magistrate.
James Bell, justice of the peace.
Robert Taylor, justice of the peace.
William Wright, justice of the peace.
J. B. Vary, justice of the peace.
John S. Brown, justice of the peace, and late Member of Assembly.
Thomas B. Wiltshire, justice of the peace.
J. H. Fingzies, justice of the peace.
D. Martin, justice of the peace.
Arnold Malalere, justice of the peace.
A. C. Stearn, justice of the peace.
F. Rennalls, custos of St. Thomas-in-the-Vale.
M. M. Sollas, justice of the peace.
R. C. Hitchins, justice of the peace.
G. B. Smith, justice of the peace.
A. Aria, justice of the peace.
Forbes Jackson, Major General, and a proprietor.
Emanuel Lyons, a merchant and storekeeper.
Thomas F. Roxburgh, a merchant and storekeeper.
W. S. Norton, a merchant and storekeeper.
James B. Simpson, a proprietor.
Alfred Groom, merchant and storekeeper.
Jacob Mitchell, merchant and storekeeper.
David Smith, proprietor.
F. Singleton, merchant.
Ralph Nunes, merchant.
Benjamin Nunes, merchant
S. Laraque Nunes, merchant.

And about 294 other residents of Kingston, being storekeepers, tradesmen, and gentlemen holding public appointments.

To his Excellency *Charles Henry Darling*, Esq., &c. &c. &c.

Parish of St. Thomas-in-the-East,
Jamaica, March 1862.

We, the magistrates, clergy, freeholders, and other inhabitants of the parish of St. Thomas-in-the-East, having learnt that your Excellency is on the eve of your departure for England, which, we are happy to believe, will be only for a short time, desire to avail ourselves of the opportunity to offer your Excellency some expression of our esteem and regard, and our unqualified appreciation of the straightforward, manly honesty of purpose which has so strongly characterised your administration.

We can remember no measure during your administration proposed by the Legislature, having for its end the welfare and prosperity of the island, which did not meet with your cordial support and co-operation; and we doubt not but that the same desire to promote the best interests of the Colony and the welfare of all classes, which has hitherto been the distinguishing feature of your government, will, on your return, as we hope you soon will, with the renewed confidence of our Gracious Sovereign, continue to be the governing principle of your administration.

Wishing your Excellency and family every blessing this life can give, we desire reverently to commend you, your truly estimable and respected wife, and your young family, to the special guidance and protection of the Almighty, and that He may preserve you from all evil and lead you into all good, and that we may soon have the gratification of once more offering to yourself and estimable family our hearty congratulations on your again assuming the Government of this island.

Alexander

Signed by,

Alexander Barclay, custos rotulorum.
Wm. Paterson, J.P.
Wm. Smith, J.P.
J. W. Coles, J.P.
John Walton, J.P.
James Paterson, J.P.
Francis Bowen, J.P.
J. F. G. Danvers, J.P.
T. McCulloch, J.P.
T. Harrison, J.P.
Augustus Hire, J.P.
Wm. McKay, J.P.
J. C. Sibley, M.D., J.P.
Samuel Shortridge, J.P.
G. B. Snaith, J.P.
W. P. Kirkland, J.P.
Stephen Cooke, deputy clerk of the peace.
A. C. Morough, M.D.
Stephen H. Cooke, rector.
Victor Herschell, island curate.
Wm. Stearn, island curate.
Wm. Smith, island curate.
D. Matheson, coroner.
D. C. McKenzie, churchwarden.
W. D. Child, proprietor of Amity Hall Estate.

And 97 other proprietors, planters, and residents in the Plaintain Garden River, Morant Bay; and Blue Mountain Valley, district of the Parior.

To his Excellency *Charles Henry Darling*, Esq., Governor of Jamaica, &c.

We, the undersigned, magistrates and inhabitants of the parish of Westmoreland, being deeply imbued with a sense of the benefits that have occurred to the Colony by your administration of the government, avail ourselves of the occasion of your departure, for a temporary absence, from the island, to assure you of our warm wishes for a safe and pleasant voyage to yourself and family, and a speedy return; and to express our sense of gratitude for those benefits, and our admiration and esteem for the firm purpose, sound judgment, and earnest application, long alone needed for securing to the country that promise of true improvement and progress which is now apparent.

(signed) *Berry Vickers*, Custos.
Daniel Fidler, B.A., Rector.
T. Tilly, Senior Resident Magistrate.

And 20 justices of the peace, and 41 other inhabitants of the Parish of Westmoreland.

— No. 3. —

No. 3.
Sir C. Darling, K.C.B., to the Secretary of State for the Colonies.
28 August 1866.

Copy of a LETTER from Sir *C. Darling*, K.C.B., to the Secretary of State for the Colonies.

The Grosvenor Hotel, Pimlico,
28 August 1866.
(Answered, 8 September 1866, page 53.)

My Lord,

May I request the favour of being furnished with a copy of any printed Despatches or Papers relating to my conduct which have been laid before Parliament.

I should be much obliged, also, if I might be furnished with copies of any opinions which may have been supplied by the Crown law officers in reference to the alleged illegality of some of my proceedings as Governor of Victoria, and of the cases laid before them, if such documents are not considered of a confidential character.

I have, &c.
(signed) *C. H. Darling.*

— No. 4. —

No. 4.
T. F. Elliot, Esq., to Sir C. Darling, K.C.B.
8 September 1866.
* Above.

Copy of a LETTER from *T. Frederick Elliot*, Esq., to Sir *C. Darling*, K. C. B.

Sir, Downing-street, 8 September 1866.

In compliance with the request contained in your letter of the 28th ultimo,* I am directed by the Earl of Carnarvon to transmit to you copies of all papers which have been laid before Parliament relative to the non-enactment of the Appropriation Act of Victoria, and to the subsequent proceedings.

But I am desired to state that his Lordship could not, consistently with the

practice of the public service, communicate to you copies of the opinions given to the Secretary of State by the Crown lawyers in their capacity of the confidential advisers of the Government.

I have, &c.
(signed) *T. Frederick Elliot.*

— No. 5. —

No. 5.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
28 August 1866.

COPY of a LETTER from Sir *C. Darling*, K. C. B., to the Right Honourable the Earl of *Carnarvon*.

4, Elizabeth-street, Eaton-square,
28 August 1866.

My Lord, (Answered, 12 September 1866, page 55.)

ON the 16th* May last, when at Sydney, New South Wales, after having transferred the government of Victoria to the hands of Brigadier General Carey, I did myself the honour of transmitting to your immediate predecessor a humble petition to Her Majesty the Queen, praying that Her Majesty would be graciously pleased to appoint a tribunal before which the whole of my conduct as the Governor of Victoria, but especially that part of it upon which the alleged reasons for my recall from the government are based, may be subjected to the strictest investigation.

* Page 41.

Having now arrived in England, I beg to express my earnest hope that Her Majesty has, in Her goodness, been pleased to comply with my request, and to state that, in that event, I am prepared to submit myself to the inquiry in any form Her Majesty may have been pleased to direct without the least delay.

If, on the other hand, there should unfortunately appear to be any insuperable difficulty in meeting the prayer of my petition, which, however, I am sanguine enough to anticipate may not be the case, I should be well satisfied if I could hope that the whole question would be reviewed by your Lordship, with special reference to the points :—

1. How far my conduct did involve any violation of the statute or customary law of the Colony ?

2. How far the issue of the proceedings adopted has in effect justified these proceedings ?

3. Whether I afforded just grounds for the personal antagonism alleged to exist upon the part of certain members of the community who had formerly been advisers of the Crown, and who, it was thought probable, might be again indicated as proper persons to serve the Crown in that capacity ?

4. How far my conduct towards those gentlemen, or at any rate to their most prominent leader, bears out the imputation of personal antagonism on my part, or such antagonism of any kind as would have prevented my calling upon any of those gentlemen again to be advisers of the Crown ?

5. Whether any portion of my Despatch to the Secretary of State, No. 152,† of the 23rd December 1865, can possibly be construed into an intimation that I would refuse to invite or accept their services in that capacity ?

I deeply regret the necessity of troubling your Lordship in a case which originated before your assumption of office, but believing as I do, that by the advice tendered to Her Majesty in this instance, a grievous public wrong has been inflicted upon me, and knowing that irretrievable pecuniary ruin is about to be entailed upon my family after a service of upwards of 18 years as a colonial governor, preceded by approved services for many years in offices of an important, although subordinate character, I conceive that I have no alternative but to address myself to the minister who has now the privilege of advising Her Majesty in that department of the State under which I have been employed.

A perusal of the Despatch which I had the honour to address to your Lordship's predecessor in reply to that in which he recalled me from my government, will put your Lordship in possession of my defence against the accusations upon which my recall was grounded, and enable you to judge of the disproportion between the error imputed to but disclaimed by me, and the penalty by which it has been visited.

I have, &c.
(signed) *C. H. Darling.*

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† *Vide* Papers presented March 1866, page 77.

— No. 6. —

No. 6.
T. F. Elliot, Esq. to Sir C. Darling, K.C.B.
12 Sept. 1866.
* Page 54.

Copy of a LETTER from *T. Frederick Elliot*, Esq., to Sir *C. Darling*, K. C. B.

Sir, Downing-street, 12 September 1866.

I am directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 28th* August, in which you request that the justice of your recall from the government of Victoria should be inquired into in such form as Her Majesty may direct, or failing this, that it should be investigated by Lord Carnarvon. Lord Carnarvon cannot indeed learn that your letter to his predecessor in this office has even been received in England,† but he has no difficulty in answering that which is now before him.

Lord Carnarvon does not desire to make this communication an occasion for entering upon the merits of the long and painful controversy recorded in the recent papers printed for Parliament. He considers that it is best to confine himself to the request contained in your present letter; and in reference to that letter I am directed to observe that the act of your recall was one undoubtedly within the scope of the Royal authority, and sanctioned by Her Majesty on the advice of Her Majesty's late Government.

Lord Carnarvon cannot consent either in his own person to entertain the appeal which you now claim against the Royal decision, or to advise Her Majesty to constitute an extraordinary tribunal of whatever kind for that purpose.

As to the effect which such a sustained decision may have upon your eligibility for a future appointment, or upon your retiring pension, his Lordship will be ready whenever these questions arise, to take that view of your long services to the Crown, and your general qualifications, which may best combine a due regard for the public service with your private interests.

I am, &c.
(signed) *T. Fredk. Elliot.*

— No. 7. —

No. 7.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
11 Sept. 1866.
‡ Page 54.

Copy of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Bella Vista, Hampton Court,
11 September 1866.
(Acknowledged, 20 September 1866, page 61.)

My Lord,

Since I addressed to your Lordship my letter of the 28th‡ ultimo, I have obtained through a private channel a complete series of the papers which have been presented to Parliament respecting the "non-enactment of the Appropriation Act in Victoria, 1865." These papers appear to include a reference to all the circumstances which have any bearing upon my recall from the government of that Colony, under the advice tendered to the Queen by your immediate predecessor; and I have, through their medium, become acquainted with the observations made and the opinions expressed by Mr. Cardwell upon the numerous explanations in respect to various points connected with the subject, which I had submitted to that gentleman after I had received his three Despatches, § Nos. 107 of 1865, 11 of 1866, 25 of 1866, condemnatory of my proceedings, and announcing the termination of my duties as Her Majesty's representative in Victoria

When I addressed to Her Majesty the humble petition which I transmitted to the Secretary of State upon the 16th May last,‖ I had not seen the speech relating to my recall, delivered by Mr. Cardwell in the House of Commons upon the 20th March.

It is of importance to me in bringing my present position, and the circumstances which have led to it, under the consideration of Her Majesty's Government, that I am thus enabled to ascertain all that Mr. Cardwell has thought it necessary to leave upon record in the case, even up to the date of his receipt of my reply to his Despatch, stating the grounds upon which his advice, that I should be recalled, was founded.

It is still my anxious desire that the inquiry into my conduct as Governor of Victoria, which I have already solicited, should take place; but I believe that a complete justification of that conduct may be educed simply from the speech and

† *Vide* note on page 71.
§ *Vide* Papers presented March 1866, pages 101, 104, and 108.
‖ Page 41.

and documents to which I have referred; and I trust that I may have the good fortune to receive your Lordship's attention during the short time which will be necessary to bring under your Lordship's notice the more salient points of the statement which it is my desire to submit to you.

In the debate to which I have referred, Mr. Aytoun having observed (I quote the report in the "Times," newspaper of 21st March), that the "Right Honourable Gentleman had blamed and withdrawn the Governor for having made himself a partizan in the dispute," Mr. Cardwell, immediately following in the debate, apprised the House of Commons of the view which he took of my conduct, and the grounds upon which he had advised my recall, in the following words, viz:—

"It has been my painful duty to recommend that the Governor of Victoria shall be relieved from his duty. My honourable friend who has just sat down truly stated that the reason of this is to be found, not in any errors I suppose he had fallen into in the difficult circumstances in which I admit he was placed during the contest between the two branches of the Legislature, but it appeared to me that the proposal he conveyed to me that the members of the former Executive Council should be deprived of the distinction they enjoyed because they presented a petition to their Sovereign, praying for redress of grievances, which I thought they were justly entitled to do, was couched in terms which rendered it impossible that the Governor who employed that language and adopted that course, should be a safe guide to the Colony, or an impartial arbiter of differences in the circumstances in which the Colony was placed."

Such were the terms in which Mr. Cardwell, on the 20th March, stated to the House of Commons reasons for recalling me from the high office to which his predecessor had appointed me after he had received, as he himself informed the House at the commencement of his speech, the first of the Despatches which I addressed to him in explanation or rebuttal of the grounds upon which he had previously condemned my conduct.

They form, it will I think be admitted, a remarkable contrast to the language he had employed when he wrote to me upon the 26th February preceeding, the Despatch announcing my recall, before any explanation whatever from me had been received.

The sentence of official degradation and personal ruin then pronounced by the Right Honourable Gentleman ran in these words:

"It must be evident to yourself that you occupy a position of personal antagonism towards almost all those whose antecedents point them out as most likely to be available to you in the event of any change of Ministry. This has resulted, as I think, entirely from your own acts, your adoption of a course of conduct which cannot be justified in law, and your strong denunciation, in which I am wholly unable to concur, of those who have objected to that course. It is impossible, I much regret to say, that after this you can, with advantage, continue to conduct the government of the Colony."

Your Lordship cannot fail to perceive how remarkable was the effect of the explanations I had submitted. "A course of conduct which cannot be justified in law," and which was considered to have naturally and properly produced "personal antagonism" to me upon the part of the 22 Executive Councillors who had petitioned Her Majesty against that conduct, had been softened into "errors," which Mr. Cardwell "supposed" me "to have fallen into in the difficult circumstances in which he admitted I had been placed;" and the "personal antagonism" on my part towards those gentlemen which was assumed to exist, and to render it impossible that I could call them to my official counsels, "or that I could continue with advantage to conduct the government of the Colony," had been transmuted into a simple apprehension on the part of the Secretary of State that I could not be "a safe guide to the Colony, or an impartial arbiter of differences in the circumstances in which the Colony is placed."

I doubt not, my Lord, you will admit that I am entitled to the benefit of that version of Mr. Cardwell's reasons for my recall, which happens at once to present the most favourable view of my conduct and position, and to embody the most recent conviction of Mr. Cardwell's mind.

But I do not desire to avail myself of this advantage; and I will, with your permission, proceed to offer a few observations upon the points which both of these deliverances of Mr. Cardwell's sentiments embrace.

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In order to show that the deprivation of my government, upon the ground stated in Mr. Cardwell's speech, viz., that I could not be an impartial arbiter or safe guide in the position in which the Colony was placed, was a proceeding which found no justification in the future events upon the probable or possible occurrence of which it was based, I need only, I think, invite your attention to the following facts which have become known either to Mr. Cardwell or your Lordship since that speech was delivered:—

1. The Assembly between whom and the Legislative Council the first conflict occurred was dissolved at my suggestion (with the concurrence of my Ministers), after I had given full scope to the various abortive efforts which were made on both sides to bring about a reconciliation upon the points in dispute, and when it appeared clear that no such reconciliation could be hoped for, and that the usual Appropriation Bill for 1865 would not be obtained.

2. When, after the new Assembly met, the proper occasion presented itself, I gave to the very men in regard to whom Mr. Cardwell supposed me to be in such a state of antagonism that I could not call them to my counsels, the most ample opportunity of forming a new administration and succeeding to the direction of affairs.

3. When the effort of these gentlemen to form such an administration was abandoned, I personally pressed upon the former Ministry the necessity of remaining in office, if only to make another effort to compose the differences which existed between the new Assembly and the Council, and pointed out the basis upon which such a composition might, I thought, be effected.

4. That composition was effected not only by an agreement upon mutual concessions, but by the absolute passage of the necessary laws, virtually upon the very day upon which I received Mr. Cardwell's Despatch, affirming that I was not in a position to effect it, and must therefore be removed from the government.

5. The view which I thus venture to put forth upon my own behalf is supported by the expressed opinions of the people of the Colony at the numerous public meetings which were held throughout the land as soon as the news of my recall had been received, to the effect that, "in dealing with this difficult public situation His Excellency has, in the opinion of your Memorialists, been actuated by a single desire to leave public opinion to deal with the struggle in a constitutional manner, and that his tact and wisdom are shown by the result, inasmuch as the whole of these differences were terminated under His Excellency's Government before his recall;" and by the deliberate declaration of the opinion of the new Assembly, adopted by a very large majority, in these words: "We therefore thank Your Excellency for having saved the Colony from anarchy, and for having effected a settlement of the serious political differences from which we have emerged."

Bearing in mind the purpose for which I have quoted this language, it is important to observe that it was employed before Mr. Cardwell's speech, to which it seems so emphatically to reply, was made known in Victoria.

There is one other point connected with this aspect of the case to which I would beg to call your Lordship's attention: Mr. Cardwell's opinion of my unfitness to continue in the Government is said to be based upon the language of my Despatch reporting upon the petition to Her Majesty of 22 members of former Executive Councils.

I need scarcely remind your Lordship of the duty which the rules and regulations of the Colonial Service impose upon the Governor in transmitting such petitions. He is required (Rule 213), amongst other things, to state his views of the "merits and demerits," not only of the "complaints," but of the parties making those complaints, with the "reasons upon which those views proceed," and the "decision at which he may have arrived after a full investigation of the whole case."

Could I, my Lord, I confidently ask, have complied, even in the most superficial manner, with this injunction, unless I had pointed out how far the complaint of the petitioners was consistent with their former conduct and declarations, and to what extent it was, in my opinion, in accordance with the facts and actual state of the case; or, having special reference to the direction to report upon the merits or demerits of the petitioners, could I do otherwise than point out how in their mode of giving their petition publicity in England before it could possibly be received from me by the Secretary of State; and in their suppression of all the

circumstances and views upon which they well knew I justified my own proceedings, they had been guilty of conduct which I thought unworthy of gentlemen who held Her Majesty's honorary Commission as members of the Executive Council of the Colony.

And if, in my own estimate of what constitutes the obligations of public men holding Her Majesty's Commission, I took a somewhat higher view than that which Mr. Cardwell thought was just, did that expression of opinion, forced from me, as it were, by a compliance with the standing regulations of the service, and transmitted not for publication, but for the special information of the Secretary of State himself, in advising Her Majesty upon the subject-matter of the petition, require further notice than an admonition to the effect that such views could not be supported if I were to act upon them; a course which, indeed, as I need scarcely observe, I could not possibly have taken, after having abstained from adopting it in the first instance; and having submitted the views upon which it would have rested to the consideration of the Secretary of State.

There is one other point upon which this is, perhaps, the appropriate place to offer an explanatory observation.

It appears to be implied if not expressed in Mr. Cardwell's speech, that he acquiesced in the statement made by Mr. Aytoun that I had been "withdrawn" for having made myself a "partisan in the dispute." I have throughout the correspondence emphatically denied this charge. I have asserted in various forms what I now solemnly re-assert, that in effecting the loans I had no other object in view than to sustain the public credit, and to avert wide-spread distress from the numerous *employés* and dependants upon the Government, of all grades and classes in the community.

This partisanship was distinctly attributed to me in Mr. Cardwell's Despatch, No. 107,* of the 20th March last.

I pointed out, in reply, that if either the Council or the Assembly were in truth favoured by my proceedings, the Council was the body to which that advantage attached.

I am now enabled to quote the language of the leader of the majority of the Council in corroboration of this assertion.

Mr. Fellows, writing upon the 24th March (page 47, Papers printed on the 28th May) distinctly alleges his belief that Mr. M'Culloch's Ministry wilfully abstained from asking the Assembly for supplies, in order that the "distress and inconvenience which are thus caused to Government contractors and public servants" might be used "as an argument against the proceedings of the Legislative Council."

I trust, too, that I may consider that this charge which, in Mr. Cardwell's Despatch, No. 107,* of 27th November last, is implied, if not actually stated, when it is said that I had given my concurrence to manifestly unlawful proceedings by which one political party, or one member of the body politic, had endeavoured to establish its preponderance over another, is not insisted on, since I find that in the Despatch to the officer administering the Government, No. 32,† of the 26th March last, Mr. Cardwell, while pointing out what I most readily admit, viz., that that which is not "legitimate," should not be done under any circumstances whatever, was pleased to say;

"I readily assume that his (Sir C. Darling's) only object was to remove an immediate difficulty from which he foresaw that much practical inconvenience would arise to the Colony.

"It is indisputable that the steps he took were in accordance with an address from the Assembly, who had requested him to take steps for satisfying the public creditor, and maintaining the efficiency of the public service, which he regarded as a vote of credit, and were the subject of an adverse memorial from the Legislative Council."

No other observations seem to me necessary, in reference to the statement of the reasons for my recall as given in Mr. Cardwell's speech, in order to place the true bearing of that speech clearly before your Lordship; but as respects the severer view of my conduct conveyed by the right honourable gentleman's Despatch, and which justifies the supposed personal antagonism of the executive councillors, by my proceedings, I would submit one or two remarks, which are suggested

* *Vide* Papers presented March 1866, page 101.
† *Vide* Papers presented 23 March 1866, page 8.

suggested by the perusal of Mr. Cardwell's Despatches, which have now for the first time met my eye.

I have stated more than once that I have throughout believed that the law of the Colony, either as it affected the collection by way of deposit, to await the decision of the Legislature, of new Customs duties, or as it conferred power upon the Governor personally, did not warrant my interference with the Commissioner of Trade and Customs in the performance of the duties of his office. Upon that ground alone I have maintained that no blame is justly imputable to me in regard to the collection of the duties in 1865.

But the accuracy of some of the statements made in my Despatches respecting the collection of these duties appears to be called in question. I desire, therefore, permission to advert to the passages in the Secretary of State's Despatches in which these doubts are expressed.

In Mr. Cardwell's Despatch, No. 32*, of the 26th March, 1866, it is explained that it was not his intention to object to the levy of Customs duties by anticipation, when there is a reasonable expectation that the resolutions of the Assembly by which these duties are proposed will be confirmed by an Act of the entire Legislature speedily passed into law; and confidential Despatches from me, dated the 25th March † and 27th July 1865, are referred to, to show that in the case which occurred in Victoria in 1865, no such expectation existed. But from my Despatches upon the subject it will be found that the resolutions were introduced upon the 15th February; that after they had passed through the House, the Treasurer, Mr. Verdon (now in this country), submitted to the House that the usual steps should be taken for protecting the revenue; that is, for commencing to collect the new proposed duties provisionally; that this proposal was acquiesced in without a murmur, and that the Treasurer further asked that no opposition shall be offered to the Bill being sent to the Legislative Council with the least possible delay.

When, therefore, the collection of the duties commenced, all the conditions which Mr. Cardwell considered necessary to justify that step existed in full force.

Between the departure of the February mail, and the date of my confidential letter of the 25th March, the circumstances occurred as stated by me in my Despatches, which justified the belief that the new tariff would meet but with little favour in the Council.

Whether it was the duty of the Government to arrest the collection of the deposit duties, as soon as the belief arose that the Council would not concur in adopting them, is a question upon which it is not, I think, necessary I should here enter. I have stated in my Despatch to the Secretary of State, No. 4 ‡ of the 22nd January last, in reply to an observation in his Despatch, No. 107 § of 27th November, 1865, that neither "I nor my Government could reasonably conjecture," much less be "perfectly aware" (as Mr. Cardwell had stated that we were), "at the time the resolution was passed, that the Council would finally reject those duties."

My object now is to show that the truth of that statement cannot be impugned by the fact that I wrote subsequently, on the 25th March, stating that a belief had since the former date arisen that the Council would finally reject the duties.

Following up the view that the usage founded upon the expectation that the Council would concur in imposing the new duties was not applicable to the case, it is added in the same Despatch (No. 32*) that at any rate "the argument from usage was inapplicable," the question having been set at rest by the "decision of the Supreme Court."

If this were indeed so, the statement contained in my Despatch (No 4 ‡) of the 22nd January, to which Mr. Cardwell was replying when he made the observation first referred to, viz, "that money had not been collected from persons from whom the Supreme Court has declared it is not due," would have been contrary to the fact.

I abstain from any remark as to the nature of the judgment given by the Supreme Court in September, upon the question of whether the duties could be raised by virtue of the privilege of the Assembly; nor need I inquire whether it was the duty of the Governor personally to take any step which should imply

* *Vide* Papers presented 23 March 1866, page 8.
† *Vide* Papers presented March 1866, pages 2 and 3.
‡ *Vide* Papers presented 23 March 1866, page 1.
§ *Vide* Papers presented March 1866, page 101.

imply that he recognised the power of the Supreme Court to declare what were or were not the privileges of the Assembly.

But I write to exonerate myself from any imputation of having made a false statement to Mr. Cardwell upon this point.

I was replying to Mr. Cardwell's observation, that money had been collected by mere force from persons from whom the Supreme Court had declared it was not due. I was on the point of calling for an official statement on the subject from the Crown law officers, when the letter from the solicitors to the adverse parties in one of the principal suits against the Government, which I forwarded with my Despatch (No. 4), was put into my hands.

That letter contained the following statement, viz.: a "verdict had been obtained by their (our) clients for the full amount claimed, but subject to the decision of the full Court, consisting of three Judges, during the late term, and after a very lengthened hearing the Court delivered an unanimous judgment in favour of Messrs. Stevenson & Son.

"Our clients have therefore obtained in their favor the verdict of a special jury on the merits of their claim, and the judgment of the full Court on the questions of law raised by the Crown against such claim. A judgment was therefore duly entered up and recorded against Her Majesty the Queen in this action, in the Supreme Court, on the 13th day of December last, for the sum of 3,477*l.* 7*s.* 2*d.*, as will appear by the certificate of the Prothonotary of the Court, a copy of which is hereby annexed, marked (A.)."

It appeared to me clear from this statement that the final decision of the court which declared that the money had been improperly taken by way of duties, and must be returned, had not been given until the 13th December, some time after the duties had altogether ceased to be collected. If it had been payable before, there can be no doubt, I think, that it would have been demanded.

I therefore embodied this statement in my Despatch, but before I sent it off, in order to make assurance doubly sure, I submitted it to the Executive Council, with a request they would inform me whether the statements of facts which it contained were in any respect incorrect. Not only was the correctness of these statements confirmed by the Council, but some slight alteration in the language of that part of the Despatch to which I have more immediately referred was made in accordance with a subsequent suggestion from the Attorney General in order that more complete verbal accuracy might be obtained.

With respect to the contraction of the loans, which constitutes the other proceeding on my part, which Mr. Cardwell regarded as justifying "personal antagonism" to me on the part of the executive councillors, I confess I am at a loss to conceive how such a view can be supported.

It is only necessary, however, in addition to what I have shown has been admitted by Mr. Cardwell himself as to my motives in taking that step, that I should remind your Lordship that I adopted all proper and usual means to assure myself, that however irregular the measure might be, it was not deemed to be a violation of the law. I obtained the written opinion of the Attorney General in these words, having previously received a similar oral communication from him to the same effect, viz.:

"The Attorney General begs to state that, in his opinion and that of the Minister of Justice, Her Majesty's Local Government has legally the power to enter into contracts binding on the Crown for purposes of a public nature, and necessary for carrying on the proper functions of Government, including contracts to borrow money for the payment of existing legal public liabilities;" while subsequently, in a document specially prepared for the Secretary of State, this opinion is confirmed in the following words:

"The Minister of Justice and the Attorney General have already submitted to his Excellency their opinion on the subject of the provision made for the payment of existing public liabilities by means of a loan and confession of judgments at the suit of the London Chartered Bank. The differences between the two Houses of the Legislature rendered it necessary that some means should be adopted by His Excellency's advisers for discharging the liabilities and carrying on the functions of Government; and it is believed that the means which have been resorted to with the approval of one branch of the Legislature are strictly within the legal and constitutional powers of the Government.

(signed) "*George Higinbotham.*"

I will not ask, my Lord, whether, under these opinions, I was justified in contracting a public loan; but rather, whether, if my motive was, as it is admitted

by

by Mr. Cardwell to have been, that of removing an "immediate difficulty from which I saw that much practical inconvenience would arise to the Colony." If, too, I considered, and all my advisers, together with a large majority of the Assembly, and of the public, considered also, that the so-called inconvenience must by its continuance for many months (as events have since shown would undoubtedly have been the case) become converted into a great public emergency and occasion of distress, which might be averted with the certainty that the course pursued would personally injure none, while it would be of great personal benefit to many, I should not have failed in my clear duty, as the Governor of the Colony, had I not accepted an unusual responsibility in order to attain the end in view, when its acceptance seemed to me, at least, to be demanded by regard for the public interests.

Be that as it may, the point I am anxious to impress upon your Lordship is, that whether the proceeding be deemed, by competent authority, to be either in conformity with or in violation of the law, I adopted it in the belief that it was legitimately in my power to take it.

The points to which I have now adverted are amongst the principal of those, which I am confident could be clearly established before any impartial commission, if they are not already made sufficiently apparent to your Lordship by this statement.

My object in seeking to establish them to the satisfaction of Her Majesty's Government is that I may thus show I have just grounds for asking to be restored to a position of rank and dignity in Her Majesty's service equal to that of which I have been after long years of honourable service so unexpectedly deprived, for reasons which events have clearly shown to be altogether founded in misapprehension and erroneous conjecture; and in the hope that some means may be devised by which the heavy pecuniary injury to my personal interests, amounting to immediately impending ruin, may be averted.

I believe my case to be, in all its circumstances, wholly without precedent, and that I may fairly ask that it shall be treated, in every respect, as one of an exceptional character.

I place my firm reliance on the spirit of justice which public opinion has pronounced to be one of your Lordship's attributes.

I have, &c.
(signed) *C. H. Darling.*

— No. 8. —

No. 8.
T. F. Elliot, Esq., to Sir C. Darling, K.C.B.
20 Sept. 1866.

Copy of a LETTER from *T. Frederick Elliot*, Esq., to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 20 September 1866.

I am directed by the Earl of Carnarvon to acquaint you that he has duly received the letter which you addressed to him on the 11th instant,* in further explanation of the previous communication which you had addressed to Lord Carnarvon, and I am also desired to acknowledge the subsequent letter from you, dated the 13th†, in reply to the one addressed to you by his Lordship's desire on the previous day.

* Page 55.

† Page 65.

I am, &c.
(signed) *T. Frederick Elliot.*

— No. 9. —

No. 9.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
12 Sept. 1866.

Copy of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Bella Vista, Hampton Court,
My Lord, 12 September 1866.‡

I have perceived, with great regret, by Mr. Cardwell's Despatch, No. 8, to the present Governor of Victoria, that Mr. Cardwell considers that it was not consistent with my duty to address to my advisers in Victoria the official Minute by which I communicated to them his Despatch recalling me from that Government.

I beg

‡ *Vide* Papers presented 28 June 1866, page 44.

I beg leave to explain that the usual mode of communicating the Secretary of State's Despatch to the local Ministry is by a Minute from the Governor, containing the references, inquiries, instructions or remarks which the Despatch may appear to necessitate.

In the case now specially referred to the circumstances were peculiar. I had no reason to suppose that my recall was a decision of Her Majesty's Government based upon grounds, the facts connected with which were beyond dispute. In every paragraph of Mr. Cardwell's Despatch, which relates to my conduct, the personal pronoun "I" is employed, and I believed that my dismissal was a precautionary measure adopted upon Mr. Cardwell's individual advice, such advice being founded upon an apprehension that I should in my future conduct contravene the principles of responsible government, which apprehension actual events had shown to be without foundation.

Under these circumstances I felt that I could not be reasonably expected to leave the Colony without placing on record my own view of the facts of my case, especially as under the form of government existing in the Colony, many various versions of that view would, in the absence of some authentic record from my own pen, be assuredly given to the public.

It was very far from my intention to contravene any established rules or principles of government, and I could have no personal object in doing so, since by either of the other modes suggested by Mr. Cardwell, equal publicity might have been given to my statements.

I have, &c.
(signed) *C. H. Darling.*

— No. 10.—

No. 10.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
12 Sept. 1866.

Copy of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Bella Vista, Hampton Court, 12 September 1866.

My Lord, (Answered, 22 September 1866, page 63.)

I SHALL be much obliged if your Lordship will present the accompanying copy of an address which I have received from the Mayor and Corporation of the city of Melbourne since I left Victoria, to have a place upon the records of the Colonial Office.

I have, &c.
(signed) *C. H. Darling.*

Enclosure in No. 10.

Encl. in No. 10.

To Sir *Charles Henry Darling*, Knight Commander of the Most Honourable Order of the Bath, late Governor in Chief of the Colony of Victoria, and Vice Admiral of the same, &c. &c. &c.

Sir,

WE, the Mayor, Aldermen, Councillors and Citizens of the City of Melbourne, most respectfully beg to express to you, upon your relinquishing the Government of this Colony, our deep sense of the great courtesy which we have at all times received from you as Her Majesty's representative, and which we esteem as the assurance of your appreciation of the devoted loyalty which the inhabitants of this city entertain towards the august person and the beneficent sway of our Most Gracious Sovereign.

We desire to tender to you, and to ask that you will convey on our behalf to your honoured consort, Lady Darling, our thanks for the interest which you and her Ladyship have taken in all our local institutions of a religious, charitable, scientific, or otherwise beneficial character, and for the example of personal virtues, which, distinguishing the most exalted station, cannot but have been socially advantageous to this community.

We offer our sincere wishes for the safety of yourself, Lady Darling, and the members of your family, on your homeward voyage, and that you may live long in uninterrupted enjoyment of the blessings of health, prosperity, and happiness.

(signed) *Wm. Bayles*, Mayor.
E. G. Fitzgibbon, Town Clerk.

— No. 11. —

No. 11.
T. F. Elliot, Esq., to Sir C. Darling, K.C.B.
22 Sept. 1866.

Copy of a LETTER from *T. Frederick Elliot*, Esq., to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 22 September 1866.

I am directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 12th instant,* and to inform you, in reply, that in compliance with your request, the copy of the address which you have received from the Mayor and Corporation of the City of Melbourne, since your departure from Victoria, has been placed upon record in the Colonial Office.

* Page 62.

I am, &c.
(signed) *T. Frederick Elliot.*

— No. 12. —

No. 12.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
12 Sept. 1866.

Copy of a LETTER from Sir C. Darling, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Bella Vista, Hampton Court,
12 September 1866.

My Lord, (Answered, 12 October 1866, page 64.)

In my Despatch to the Secretary of State* (separate) of the 7th May last, I transmitted the copy of a message which I had felt it my duty to send to the Assembly of Victoria, in reference to the steps then taking in that body, with a view to making a grant of money for the benefit of Lady Darling and my children.

* Page 3.

I perceive that since I left Victoria, the Assembly have, without a division, passed an Humble Address to Her Majesty, bringing my message under Her Majesty's notice, and praying, in effect, that Her Majesty will not interpose to prevent their generous intention towards my family from being carried into effect.

I desire to have no disguise from your Lordship in this matter.

I believe that a knowledge of the position of my private affairs was possessed by my agent, my banker, and some of my personal acquaintances; and that consisting as my private fortune does exclusively of landed property in Jamaica, this knowledge was not regarded as of a confidential nature, and therefore extended considerably, soon after the news of my recall reached Victoria.

I am sure that the feeling which induced the great mass of the people of the Colony to express at their public meetings, a desire that the pecuniary injury my family would sustain by my recall should be compensated, and which was subsequently embodied in the resolution passed by the Assembly, and transmitted for submission to Her Majesty, was based on a conviction that I had acted with good faith, to the best of my judgment, for the benefit of the Colony; that the difficulties which had culminated in my degradation and injury, as the only real victim of the complication, had their foundation in the proceedings of the preceding Assembly, and the opinions given by legal advisers of high repute, who possessed the confidence of a large majority of that body, and that those difficulties had been finally settled to a very great extent, by the course which I pursued, after the sentence of my recall had gone forth.

It is impossible for me not to feel that the view taken of the position of myself and my family, in its several bearings, by the Assembly of Victoria, and a very large portion of its inhabitants, is just and true. I fear there is no other quarter to which I can look with any prospect of success for the compensation to my family which the liberality of the Assembly of Victoria is disposed to provide for them; and as the effect of my recall is not only to deprive me of all income, but to arrest and probably bring to an untimely end, measures which I had set on foot in the hope of giving some future value to a property which has yielded no return, but been rather a cause of expenditure for many years past, although a large fortune is now absorbed in it, I may be pardoned for expressing my hope that Her Majesty has been pleased to regard the case of Lady Darling and my family as one of an unusual and exceptional character,

under the peculiar circumstances attending my recall, and that it will not be deemed necessary to complete the ruin in which that event threatens to overwhelm them, by intimating that the Crown must withhold its sanction from the proposed grant.

I have, &c.
(signed) *C. H. Darling.*

— No. 13. —

No. 13.
The Right Hon. C. B. Adderley, M.P., to Sir C. Darling, K.C.B.
12 October 1866.

COPY of a LETTER from the Right Hon. *C. B. Adderley*, M. P., to Sir *C. Darling*, K. C. B.

Sir, Downing-street, 12 October 1866.

I AM directed by the Earl of Carnarvon to inform you that he has given his most careful consideration to your letters of the 12th and 15th of September,* requesting Her Majesty's sanction to the acceptance by Lady Darling of a grant of 20,000 *l.* from the Colony of Victoria.

* Pages 63 and 65.

A request to the same effect, from the Legislative Assembly of Victoria, had been forwarded in your Despatch, No. 7,† of the 26th of May 1866.

† Page 29.

Lord Carnarvon has delayed his answer to your letters because he was desirous that so important a request should receive that full attention which it deserves. He acknowledges with pleasure the proper spirit in which you have at once sought the decision of Her Majesty's Government on this subject; and it is hardly necessary to add that he wholly acquits you of any intention to proceed in the manner described in your letter of the 15th of September.‡

‡ Page 65.

Lord Carnarvon sincerely regrets the severe pecuniary loss which your premature recall has entailed upon you; and it would have been personally gratifying to him to have been the channel of communication in conveying the Crown's sanction to your acceptance of the proposed grant.

But after a careful study of the regulations in question, and of the reasons on which they are founded, Lord Carnarvon is forced to come to the conclusion that the rule was framed with the distinct intention of including such cases as the present, and that he could not now relax it without sanctioning an indefinite relaxation in other cases. Its principle is, that no Governor shall be allowed to expose himself to the temptation which may arise from expecting beneficial donations from the Colonists, or any section of them, or to the suspicions which arise from his acceptance of such donations, whether they are made directly to himself, or in trust for him, or to some member of his family, so that he may have the enjoyment of them, is obviously immaterial. The proposed grant, as indeed you appear to admit, is palpably a gift to yourself, through Lady Darling. It may not transgress the rule in its letter, but would be a manifest evasion of its principle.

It is for the interest of the Public Service that this principle should be firmly adhered to; and, under these circumstances, Lord Carnarvon is bound to withhold his consent, and distinctly to inform you that if you desire to retain your connection with the Colonial service of this country, you are not free to accept the Vote.

Lord Carnarvon sincerely wishes that he could come to any other decision, but he is clear that this is his duty, though a very painful one.

I am, &c.
(signed) *C. B. Adderley.*

— No. 14. —

No. 14.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
13 Sept. 1866.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Bella Vista, Hampton Court,
13 September 1866.

My Lord, Acknowledged, 20 September 1866, page 61.

I HAVE had the honour to receive Mr. Elliot's letter of the 12th instant, conveying your Lordship's reply to that which I addressed to you upon the 28th ultimo.

I learn with much surprise that the letter to your Lordship's predecessor, dated 16th May last, in which I enclosed a humble memorial to Her Majesty the Queen, has not been received in England.

When at Sydney, I placed the packet containing it and another communication to the Secretary of State in the hands of Sir John Young, who was good enough to assure me that it should be forwarded in his despatch-bag by the mail of that month.

I now take the liberty of enclosing copies of the despatches in question.

16 May 1866, page 39.
16 May 1866, page 41.

While I do not seek to press upon your Lordship a reconsideration of the determination at which you have arrived, neither to advise Her Majesty to grant me an inquiry into the circumstances which led to my recall, nor to undertake yourself a review of those circumstances, I would beg permission to say that it was not against a Royal decision that I appealed with a view to the reversal of that decision by the same august authority, but against the reasons which were assigned to me as those upon which the advice to adopt that step had been taken.

The object I had in view was that it might be seen, when all the facts were brought to light, that my public reputation was clear from stain, and my eligibility to further employment in Her Majesty's service (from which the terms of your predecessor's letter of recall seemed to debar me) unimpaired.

For the sentiments expressed in the concluding paragraph of Mr. Elliott's letter, I sincerely thank your Lordship. My claim to pension cannot be advanced before the year 1869, but I trust that the occasion may soon occur for considering my eligibility for a future appointment; and I am grateful to you for the assurance that you are ready, when such a question may arise, to take that view of my long services to the Crown and general qualifications which may best combine a due regard for the public service with my private interests.

Those interests, I am constrained to repeat, have suffered fearfully by the unexpected withdrawal of an income and emoluments amounting to 10,000 *l.* a year, so soon after I had incurred all the expense of an outfit and establishment, and of personal equipment required by my own position and that of a family, at the head of one of the most numerous, and certainly the most wealthy, society in the British Colonies; while the grounds on which that step was taken are so peculiar and, I believe, unprecedented, as to constitute the case, as I took the liberty of stating in one of my letters of yesterday's date, one of an exceptional character, in dealing with which the element of prompt pecuniary compensation cannot, I think, with justice be omitted.

Salary -	£. 10,000
House -	1,000
	£. 11,000
Cost of Staff -	1,000
Clear -	£. 10,000

I have, &c.
(signed) *C. H. Darling.*

— No. 15. —

No. 15.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
15 Sept. 1866.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Bella Vista, Hampton Court,
15 September 1866.

My Lord, (Answered, 12 October 1866, page 64.)

THERE is an important point connected with the desire of the Assembly to make a pecuniary grant to Lady Darling and my family, which it occurs to me I have not brought under your Lordship's consideration.

I was informed, shortly after the news of my recall had reached Victoria, that it was the desire of the Legislative Assembly that such a grant should be made to me, in order to compensate me in some degree for the pecuniary injury which my recall from the government so soon after my assumption of it must inevitably occasion.

I stated to the gentlemen through whom this communication was made, that it would be affectation to deny that the result of my recall would be to reduce me almost to a state of poverty, in remarkable contrast with what my position would have been if my administration had lasted for the usual period.

I added, however, that I should be able to advance a claim for retiring allowance in the year 1869, and that the pecuniary injury would have been of less importance if I were alone in the world, but that being married, and having four sons between the ages of 14 and 7, besides the fact of my nearest surviving relative having become almost entirely dependent upon me, it necessarily fell with aggravated severity; and that I was deeply sensible of the generous feeling which prompted the intended action of the Assembly.

This intimation on my part led, I believe, to the proposal to make the grant to Lady Darling instead of to me.

This circumstance did not of course affect the principle on which the proceeding was adopted, although it may have constituted a technical difference.

I did not and do not regard the grant as coming under the 33rd clause of the Regulations, which relates to pecuniary presents from the inhabitants of the Colony; but being a legislative Act, as clearly falling within that clause of the Royal Instructions, which requires the Governor to reserve for the signification of Her Majesty's pleasure, "any Bill whereby any grant of land or money, or other donation or gratuity, may be made to yourself."

I was informed by a personal friend that malicious rumour had gone so far as to assert that I was about myself to send down the necessary message for the initiation of the vote; that the money would be placed at my disposal the moment the vote had passed the Assembly, and would be accepted by me.

I thought that I could not better silence these false and injurious reports than by sending to the Assembly the message, of which I transmitted a copy with my Despatch "separate"* of the 7th May last.

* Page 3.

With this explanation, I have only to repeat the expression of my earnest hope that Her Majesty may be pleased to signify that there will be no objection on the part of Her Majesty to the proposed grant being made by the Legislature of the Colony.

I have, &c.
(signed) *C. H. Darling.*

— No. 16. —

No. 16.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
15 Sept. 1866.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Bella Vista, Hampton Court,
15 September 1866.

My Lord,

ON reviewing the Despatches which I have lately had the honour to address to your Lordship, it has occurred to me that it may be a subject of surprise to your Lordship that I should have represented my public services as a Colonial Governor to have been of so little advantage to my private interests; or, as I should rather say, to have left me in that regard, as relates to my official emoluments, precisely where I was when I began that course of service, now nearly 19 years since.

The following statement will, I think, remove all doubt which may have suggested itself upon the point.

I held the commission of Lieutenant Governor of St. Lucia (which bears date in November 1847), rather more than four years. The salary of the office was only 1,200*l.* a year. During the last seven months of that period I was on leave of absence, after a continuous residence of 10 years in the West Indies. While on leave I was, of course, on half pay, and I had to defray the cost of the passage to England of myself and family.

My

My next appointment was that of Lieutenant Governor of the Cape of Good Hope. The salary and emoluments amounted to no more than 1,800 *l.* a year, although I was resident in the Government House, and representing the Government at Cape Town. I held the office about two years and a half. During the last half year I was Acting Governor, and for that period I received half the salary of Lieutenant Governor, and half that of the Governor, altogether at the rate of about 3,300 *l.* a year.

For two months before my assumption of the Lieutenant Government, I was without any salary at all; and I was similarly situated for the six months which elapsed between my departure from the Cape and my arrival in Newfoundland, while "en route" between the two Governments.

My salary when Governor of Newfoundland was 3,000 *l.* a year. I held the office about two years.

I was Governor of Jamaica for nearly six years. The salary was 5,000 *l.* a year, a large proportion of which was subject to the British income tax. I spent the whole salary in the Colony, and upon the requirements of my position.

During the last 15 months of the period I was in England, partly on leave of absence, after a residence of upwards of four years and a half in the Island, and partly during an inevitable detention occasioned by my appointment to Victoria.

During this period I was, of course, on half salary, and while on the voyage out (some two months and a half) without any salary at all.

Upon my arrival in Victoria, I found myself entitled, under existing Acts, to draw salary and emoluments at the rate of 15,000 *l.* a year, and might have drawn at that rate for about six months. Under circumstances which I explained at the time to the Secretary of State, I considered it my duty to draw only at the rate of 10,000 *l.* a year.

The surrender of my right was fully appreciated, as to its motives, by the Assembly and the Ministry. To mark their sense of it, they furnished, at the public expense, the bed-rooms of Government House,—an act of liberality from which my successors are likely to derive more advantage than has accrued to me.

The salary of the Governor of Victoria is even now upon a scale more liberal than that of any other Colonial possession of the Crown.

It was designed to, and does enable the Governor, after he has defrayed the first heavy expenses incidental to the appointment, to maintain his position liberally, and accumulate a considerable sum.

The details which support this assertion I am prepared to show.

I was deprived of the Government (on the 7th May last) at the moment when the practical proof of its truth would have begun to be exhibited to my personal advantage.

A course of public employment was thus suddenly, and, as I shall affirm with my latest breath, most unjustly terminated (if I were to judge of Mr. Cardwell's intentions by the terms of his Despatch), which had lasted uninterruptedly for more than eighteen years, and which had been before my appointment to Victoria characterised officially by the late Duke of Newcastle as consisting of "arduous, important, and approved services rendered to the Crown."

During the whole of this course of service my private fortune, which, at an earlier period of my life, became absorbed in landed property in Jamaica, has diminished in value, and, in fact, has yielded no income whatever, although I live in hopes, if I am enabled to carry through the measures I have adopted, that it may be of some value to my family at a future day.

The inconsiderable salaries attached to most of the appointments I have held, the frequent changes to various climates, necessitating the breaking up of old and the formation of new establishments, the payment of stamp duties upon commissions, which in one instance only were defrayed from public funds, will sufficiently justify, I think, upon public grounds, the representations I have made in regard to the pecuniary results of my long services.

Your Lordship may rely upon it that my case presents a most forcible illustration of the truth of the adage, which declares how little moss is gathered by the rolling stone.

I have, &c.
(signed) *C. H. Darling.*

— No. 17. —

No. 17.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
19 Sept. 1866.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Hampton Court, 19 September 1866.

My Lord, (Answered, 25 September 1866, page 68.)

HAVING received by the last mail from Victoria an address from the Mayor, Aldermen, Councillors, and Burgesses of the town of Geelong in that Colony, relating to my public intercourse with that body during my administration of the Government of Victoria, I shall be obliged if your Lordship will permit the enclosed copy of the address to have a place upon the records of the Colonial Department.

I have, &c.
(signed) *C. H. Darling.*

Enclosure in No. 17.

Encl. in No. 17.

To Sir *Charles Henry Darling*, Knight, Commander of the Most Honourable Order of the Bath, late Governor in Chief of the Colony of Victoria, and Vice Admiral of the same, &c. &c.

Sir,

WE, the Mayor, Aldermen, Councillors, and Burgesses of the town of Geelong, in Council assembled, beg leave most respectfully, on your retirement from the Government of Victoria, to express our deep sense of the courtesy which we have at all times received from you as Her Majesty's representative, and which we esteem as a proof of your appreciation of the loyalty and devotion of the inhabitants of Geelong towards the throne and person of our most gracious Sovereign the Queen.

We have at all times observed with pleasure the great interest which you and your honoured consort, Lady Darling, have taken in all matters for the advancement of religion, charity, and science, or otherwise of a beneficial character; and we are well convinced that such examples of personal virtue as evinced by yourself and her ladyship, on all occasions, for the advancement of the moral, intellectual, and material interests of the Colony at large, cannot but have a most beneficial effect upon all classes of this community, and will long and deservedly be remembered and cherished.

We therefore beg, at the termination of your official connection with us, to offer our sincere wishes for the welfare and safety of yourself, Lady Darling, and the members of your family, on your voyage to Europe, and that you and they may long experience in uninterrupted enjoyment the blessings of health, prosperity, and happiness.

(signed) *Robert de B. Johnstone*, Mayor.
William Weire, Town Clerk.

Town Hall, Geelong,
10 July 1866.

— No. 18. —

No. 18.
Sir Frederic Rogers, Bart., to Sir C. Darling, K.C.B.
25 Sept. 1866.
* Above.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 25 September 1866.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 19th* instant, enclosing a copy of an address from the Mayor, Aldermen, Councillors, and Burgesses of the town of Geelong, which you received by the last mail, and which you request may have a place on the records of the Colonial Department. His Lordship desires me to inform you that your request shall be complied with.

I have, &c.
(signed) *Frederic Rogers.*

— No. 19. —

No. 19.
Right Hon. the Earl of Carnarvon to Sir C. Darling, K.C.B.
19 Sept. 1866.

COPY of a LETTER from the Right Honourable the Earl of *Carnarvon* to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 19 September 1866.

I FOUND in the Colonial Office a letter from you to my predecessor, dated the 25th of April last,* together with an answer which he had prepared to it, but afterwards withheld for the following reason:—It seems that your letter was not included in your Schedule of Despatches which arrived by the same opportunity, and that the cover of it had been marked "private," and Mr. Cardwell thereupon directed that his answer should be withheld, and your letter put aside, in order that, upon your return, it might be treated as public or private, as you might prefer. As I now understand that you did not intend it as a private communication, I think it right to forward to you a copy of the answer written by my predecessor, in order to render the correspondence complete.

* Page 1.

June 1866.

I have, &c.
(signed) *Carnarvon.*

Enclosure in No. 19.

(Copy.)

Sir, Downing-street, June 1866.

Encl. in No. 19.

I HAVE received the Despatch which you addressed to me from Victoria, under date the 25th* of April, representing the serious loss to which you have been subjected by your removal from the Government of that Colony, before half the period had elapsed for which a Colonial Government is usually held.

* Page 1.

You announce your intention of appealing against the grounds on which Her Majesty's Government had arrived at this decision, which you regard as insufficient and inadequately supported by the facts, and you complain of the terms in which the announcement of your recall was made known to you.

I did not advise Her Majesty to relieve you from the Government of Victoria till your own Despatches had satisfied Her Majesty's Government that that step was unavoidable. And although in communicating to you this decision it was my duty to state with clearness the grounds on which it had been adopted, it was my endeavour to make that communication in the language which was least calculated to inflict unnecessary annoyance.

On receiving the usual application from your agents for the expenses of your return to this country, I directed it to be forwarded to the Treasury with my recommendation.

I do not think it necessary to make any observation upon the intention which you express of appealing against the decision of Her Majesty's Government, further than to say that that decision was adopted after full deliberation, and with sincere regret, and under a conviction that it was absolutely necessary with a view to the good of the public service.

I have, &c.

Sir C. Darling, K.C.B.

— No. 20. —

No. 20.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
21 Sept. 1866.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Bella Vista, Hampton Court,
My Lord, 21 September 1866.

I DO myself the honour to acknowledge the receipt of your Lordship's letter of the 19th* instant, in which you are so good as to communicate to me the copy of a letter which Mr. Secretary Cardwell had prepared as an answer to one addressed to him by me from Victoria on the 25th April last, but which he had withheld in consequence of a doubt whether it was my intention that my letter should be regarded as of a public or a private character.

* Above.

I am informed by Mr. Secretary Cardwell's letter, that my recall from the Government of Victoria was decided on by Her Majesty's late Government with sincere regret; and that the decision was not adopted until my own Despatches had satisfied Her Majesty's Government that that step was unavoidable.

Upon this intimation, I may be permitted to observe—

1st. That my Despatches more particularly referred to could have constituted no proper foundation for such a step, unless they indicated a determination to adopt a future line of conduct which would be contrary to my duty as the head of the Government of Victoria.

2ndly. That my Despatches indicated no such intention; for while I stated, as it was my duty to do, that the conduct of the petitioning Executive Councillors towards me in the premature publication in England of their Memorial, and the suppression of facts, for which that document is remarkable, had occasioned feelings of doubt and distrust towards them in my mind, I clearly contemplated the possibility of having to receive them as my advisers; and it is notorious to those who have any practical acquaintance with the working of responsible Government in the Colonies, that the personal doubt or distrust of the Governor has nothing whatever to do with the formation or existence of a Ministry, which depends entirely upon the fact of such a Ministry possessing the confidence of a majority of the Assembly.

3rdly. That my acts subsequent to the issue of Mr. Cardwell's letter of recall completely prove that the conclusion as to my future conduct, which had been drawn from my Despatches, were founded in absolute error; and that if my recall had indeed been determined upon with sincere regret, the information conveyed by me to Mr. Cardwell by the March and April mails, was received by him before Sir Manners Sutton had left England, and while it was still therefore open to Mr. Cardwell to refrain from completing the act of my dismissal from the Government, for causes arising out of a dispute between the two Houses of the Legislature, which he knew that I had already brought to a successful termination, both in a political and legal point of view.

I would beg also to remark, that I made no complaint of the terms in which "the announcement of my recall was made known." I observed in my letter, that I was "required to surrender my Government in a manner which aggravates immeasurably the painful consequences to me of the step you have thought fit to adopt."

I alluded to the Order which I received to transfer the Government to the hands of Brigadier General Carey, instead of awaiting the arrival of my duly appointed successor; an order which was appealed to by that small section of traders in the community who had accomplished my downfall, with a degree of triumph which I can only truly characterise as malignant, although I am bound, at the same time, to admit, that the triumph was regarded as having been achieved rather over my advisers and the Legislative Assembly than over myself.

I have, &c.
(signed) *C. H. Darling.*

— No. 21. —

No. 21.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
21 Sept. 1866.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Bella Vista, Hampton Court,
21 September 1866.

My Lord, (Answered, 24 September 1866, page 71.)

BEING very desirous of writing to Governor Sir John Young by the next Marseilles mail, upon the subject of the letter to your Lordship's predecessor, dated the 16th May last, and enclosing a petition from me to Her Majesty the Queen, which I entrusted to his care, and which I was most anxious should have been received and considered by Her Majesty's Government while Parliament was yet in Session, but which it appears had not been traced in the Colonial Office up to the date of Mr. Elliot's letter to me of the 12th September last,* I take the liberty of requesting that I may be informed whether since that date the letter in question has been discovered, or whether it is rendered quite certain that it was never transmitted from New South Wales.

* Page 55.

I have, &c.
(signed) *C. H. Darling.*

— No. 22. —

No. 22.
Sir Frederic Rogers, Bart., to Sir C. Darling, K.C.B.
24 Sept. 1866.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 24 September 1866.

I AM directed by the Earl of Carnarvon to acquaint you, in reply to your letter of the 21st* inst., that neither of the letters of which you enclose copies, and which are addressed to Mr. Cardwell, of the 16th May last,† have been received at this office up to this day.

I have, &c.
(signed) *Frederic Rogers.*

* Page 70.

— No. 23. —

No. 23.
Sir C. Darling, K.C.B., to Sir F. Rogers, Bart., Under Secretary of State.
26 Sept. 1866.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to Sir *F. Rogers*, Bart.

Bella Vista, Hampton Court,
Sir, 26 September 1866.

I BEG leave to offer through you to the Earl of Carnarvon, my thanks for the communication contained in your letter of the 24th‡ inst., which was duly received yesterday by a messenger from the Colonial Office.

It seems so remarkable that, since I committed my letters to Sir John Young's hands, three successive mails should have arrived from New South Wales, in none of which those letters were contained, that I venture to suggest whether it is possible that, as they were addressed to Mr. Secretary Cardwell, and as it would be apparent from their envelopes that they were not from the Governor of New South Wales, they may have been regarded as communications intended for Mr. Cardwell personally, and may have been forwarded to him accordingly, and that if that right honourable gentleman were either absent from England, or from his usual place of residence, he may not yet have had an opportunity of returning those letters to the Colonial Department.

By the May mail from Melbourne, I had the honour to address to the Secretary of State, Despatches numbered and dated as follows :—

No. 59, dated 3rd May. Page 2.
No. 60, dated 7th May. Page 4.
No. 61, dated 7th May. Page 20.
No. 62, dated 7th May. Page 21.
Separate, dated 7th May. Page 3.

Being especially anxious that the Despatch No. 62, should have come under the consideration of Her Majesty's Government, I beg to express my hope that the Despatches in question were all duly received.

I have, &c.
(signed) *C. H. Darling.*

‡ Above.

— No. 24. —

No. 24.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
28 Sept. 1866.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Bella Vista, Hampton Court,
28 September 1866.
My Lord, (Answered, 25 October 1866, page 73.)

RECENT telegraphic intelligence from Australia announces the arrival at Melbourne of my successor in the Government of Victoria, and I may therefore be assured that my commission as the Governor of the Colony has been superseded by the proclamation of that which Her Majesty has been pleased to confer upon Sir J. H. Manners Sutton.

The time has consequently arrived when I may respectfully submit my request to be permitted to receive the half salary of the office of Governor of Victoria from the 8th May last (being the day after I left Melbourne), up to the day preceding

† There is reason to believe that this statement was incorrect.

preceding that upon which Sir J. H. Manners Sutton's commission was proclaimed, inclusive.

I venture to support this application by the following reasons, viz. :—

1. I was legally the Governor of Victoria up to the moment in which Sir J. H. Manners Sutton's commission was proclaimed. The powers and authorities of Government were exercised by General Carey under my commission, by reason of my being the Governor, and absent from the Colony.

2. I was so absent in compliance with the expressed "wish" of the Secretary of State that I should leave the Colony.

3. I was therefore, to all intents and purposes, legally a Governor, not superseded as to my commission, but absent from the Colony with the sanction of the Secretary of State.

4. That if I had chosen to avail myself of the actual terms of Mr. Secretary Cardwell's Despatch of the 26th February last (No. 25), intimating that I was to be relieved in the Government of the Colony, I might have retained the Government on full pay until the day before the arrival of Sir J. H. Manners Sutton; for it was, undoubtedly, very far from convenient to me in any conceivable sense of the word, to relinquish the Government until the moment that I should be obliged to do so by the supersession of my commission.

5. I might, at any rate, have remained in the Administration much longer than I did, without incurring any imputation of a disregard of the views of the Secretary of State. I preferred to act in fulfilment of the evident spirit of Mr. Cardwell's communication to me, and to leave the Colony as soon as I possibly could. I received Mr. Cardwell's Despatch on the 13th April. I could not wind up my affairs, and bring to a conclusion a domestic arrangement then pending (the marriage of my daughter), in time to leave by the Overland Mail of the 26th of that month. Finding this to be the case, I engaged my passage in the first sailing vessel about to leave Melbourne, and which was advertised to sail on the 23rd May. Having ascertained, however, by communication with Sydney, that there was an opportunity from that port at about the same time, I altered my arrangements, and took a passage for myself and family thence to England.

I was thus enabled myself to leave Melbourne on the 7th May, my family following me to Sydney, and my affairs being wound up before I finally left Australia. The proceeding was not carried through without involving considerable additional expense, and a loss of some days' salary, amounting to about 450*l.*

6. Even under the severest view which Mr. Secretary Cardwell took of my conduct, it cannot, I think, be said that the grounds upon which my recall was based were such as to render it necessary that that proceeding should be accompanied by any penalties, whether pecuniary or otherwise, except those inseparable from the proceeding itself.

7. It would indeed have been impossible to have recalled me upon the grounds stated by Mr. Secretary Cardwell, either in his Despatch, No. 25,* in his speech in the House of Commons upon the 20th March, or in his letter to me of June last (copy of which your Lordship was pleased to send me on the 19th instant), if the intelligence conveyed from Victoria by either the March or April mail had been in possession of Her Majesty's Government at the time that step was determined on; and as I am bound to accept those grounds as the real ones, it follows that I should not, at that time, have been recalled at all.

I trust, therefore, that I may be regarded as a Governor absent with the sanction of the Secretary of State, up to the date of Sir J. H. Manners Sutton's assumption of the Government of Victoria, and be permitted to receive half salary accordingly. I entertain this hope the more strongly because, although I have myself proceeded on five occasions to assume the administration of a Government to which I had been newly appointed, I have, in four of these instances, received no salary whatever from the date of embarkation up to that of my assumption of the Government; while in the fifth instance (that of Jamaica) I was not permitted, although the Government was vacant, to receive the

* *Vide* Papers presented March 1866, page 108.

the moiety of that portion of the salary which was paid by the Colony, an alleged local practice having been allowed to override, to my prejudice, the rules and regulations of Her Majesty's Service.

I have, &c.

The Right Honourable
The Earl of Carnarvon.

(signed) *C. H. Darling.*

— No. 25 —

No. 25.
Sir Frederic Rogers, Bart., to Sir C. Darling, K.C.B.
25 October 1866.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 25 October 1866.

I AM directed by the Earl of Carnarvon to inform you that he has had under his consideration your letter of the 28th ultimo,* requesting that you may be allowed to receive the half of the salary assigned to the Governor of Victoria, from the day on which you quitted the Colony to the date at which the commission of your successor, Sir John Manners Sutton, was proclaimed.

Lord Carnarvon would have been very glad to be able to accede to your wish on this subject, and has given it a careful consideration. He readily recognises the promptitude with which you acted upon the obvious intention of Mr. Cardwell's Despatch of 26th February last, but he finds to his regret that by the uniform practice of the Colonial Service, Governors are not entitled to half salary after finally quitting their government, except in cases of removal from one Colony to another.

In the case of Victoria there is this further difficulty, that under the terms of the "Constitution Act," (section 46, 62, and schedule), it appears more than doubtful whether the whole salary is not, in the absence of the Governor, given by law to the officer administering the government.

Under these circumstances Lord Carnarvon has no alternative but to express his regret that it is not in his power to comply with your request.

I have, &c.

(signed) *Frederic Rogers.*

* Page 71.

— No. 26. —

No. 26.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
12 October 1866.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of Carnarvon.

Bella Vista, Hampton Court,
12 October 1866.

(Answered 23 October 1866, page 83.)

My Lord,

YOUR Lordship will not, I trust, attribute it to a spirit either of importunity or impatience that I again seek to engage your attention for a few moments upon the subject of my present position in relation to the Colonial Service of the Crown.

Your Lordship has been good enough to allude to my long service as forming a ground of consideration whenever the question of my eligibility for a future appointment may arise. I have reason to believe that there is no detailed statement showing the nature of those services in their earlier stages, to which your Lordship has the means of ready reference.

I brought under the notice of the Duke of Newcastle, on the 14th May 1862, an abstract of them, which his Grace was pleased to acknowledge by Mr. Fortescue's letter of the 24th of last month, a copy of which is attached to my Despatch,† No. 41, of the 18th of April last, and also to the petition to Her Majesty the Queen, which I transmitted, with my letter, to Mr. Secretary Cardwell, of the 16th May last.

The abstract which I then submitted is described in Mr. Fortescue's letter as a "specification in a summary but authentic shape of the arduous, important and approved services which you have rendered to the Crown."

I beg

† *Vide* Papers presented 28 June 1866, page 8.

No. 1. May 1862.

I beg leave now to transmit a copy of that document, because it will serve to show that the administrative offices which I successively held, and are therein referred to, were conferred upon grounds of previous services satisfactorily performed; as the addresses attached to the Despatch and petition will in like manner prove the estimation in which my administration of those offices was held in the various Colonies in which I had the honour to represent Her Majesty.

From the terms of Mr. Fortescue's letter, I inferred at the time that a more detailed account of my earlier services, which my late lamented friend the Earl of Elgin was good enough to place in the hands of Lord Taunton, then Secretary of State for the Colonies, in the year 1856, had not found a place upon the Public Records of the Colonial Department.

No. 2. 25 March 1856.

I venture now to transmit a copy of that document, which will at once demonstrate that I present in my person the very rare instance of a colonial administrator whose career may be said to have commenced about 40 years ago as the private secretary to a governor, and has been continued without interruption, either as an assistant to a governor or as a governor myself (excepting only a short period while awaiting promotion under strong recommendation from superior authorities under whom I had served), until I had achieved almost the highest position which the Colonial Service offers; but which at the end of that period finds me in the very painful position, in a twofold point of view, which it has been my duty to bring under your Lordship's notice.

It has, of course, no bearing upon the merits of the case; but it adds not a little to the poignancy of feeling with which I contemplate my present position, that my father, my father's eldest brother, and my maternal grandfather all had the honour of serving the Crown of England for many years as governors of its Colonial dependencies.

The documents which I have enclosed relate to my public services up to the termination of my government of Newfoundland. The opinion of the Duke of Newcastle as to my administration of the Government of Jamaica may be gathered from his letters, of which I have already transmitted copies with the Despatches above referred to, and is unmistakeably expressed in the following extract of a letter from Sir Frederic Rogers, dated 24 January 1863, viz.:—

"His Grace wishes me to add that he is well aware of the difficulties with which the Government of Jamaica is beset, and sees no reason to think that the administration of any other Governor would have been attended with a larger measure of general success."

Of my administration of the Government of Victoria, I need here say nothing beyond this, viz.:—

That Mr. Secretary Cardwell's Despatches and speech in Parliament prove that I was recalled from that Government upon the alleged ground that Mr. Cardwell interpreted the language of a Despatch which, in obedience to standing instructions, it was my duty to write, as intimating an intention on my part to disregard and set at naught in future the plain principles of responsible government; while, if my own subsequent acts be not considered as of themselves conclusive upon the point, the testimony of the people of the Colony at large—so far as the sentiments of public meetings throughout the land, and the declared opinion of the great majority of their elected representatives are regarded as affording such testimony—has not only emphatically affirmed that my conduct was in accordance with these principles, but the House of Representatives went so far as to thank me specially in a public address for having given full effect to them.

I have, &c.
(signed) *C. H. Darling.*

Encl. 1, in No. 26.

Enclosure 1, in No. 26.

1826. Charles Henry Darling entered the army as ensign on the 7th December 1826, by recommendation from the Royal Military College, Sandhurst, after public examination.

1827. Became in 1827 assistant private secretary to the late General Sir Ralph Darling, then Governor of New South Wales, and Major General commanding the forces in that Colony

1830. and Van Diemen's Land, and was appointed military secretary to that officer in 1830.

In

In 1833, while a student at the Senior Department of the Royal Military College, was appointed secretary to the late Lieutenant General Sir Lionel Smith, upon that officer's nomination to be Governor and Commander in Chief of the Windward West Indian Islands, and was employed in that capacity until 1836. Sir Lionel Smith having in that year been nominated to the Government of Jamaica, Mr. Darling was appointed "Governor's Secretary" for that Colony, and retained the appointment until the termination of Sir Lionel Smith's Government in 1839. In that year obtained an unattached company, and retired from the army in 1841. 1833. 1836. 1839. 1841.

In 1843, appointed by the Earl of Elgin, then Governor of Jamaica, Agent General of Immigration for the Colony. During that nobleman's administration held also the office of Adjutant General of Militia, and was a Member of the Assembly, and of several Executive Boards. Was again appointed Governor's Secretary during the *ad interim* administration of the Government of Jamaica by Major General Sackville H. Berkeley; and continued to hold that office during the earlier part of the Government of Sir Charles Grey in 1846 and 1847. 1843. 1846.

In 1847, was appointed Lieutenant Governor of the Island of St. Lucia. In 1851, appointed Lieutenant Governor of the Cape of Good Hope; an office specially created for the conduct at Cape Town of the Civil Government, while Sir George Cathcart, the Governor and Commander in Chief, might be engaged with his civil and military duties on the frontier. After the departure of Sir George Cathcart, administered the Government of the Cape from May 1854 to December 1854, during which period the Parliamentary Constitution of that Settlement was inaugurated and established. 1847. 1851. 1854.

Was nominated to the Government in Chief of Antigua and the Leeward Islands, previously to his sole administration of the Government of the Cape, but never assumed the duties of that Government; having shortly after his arrival in England been required to proceed to Newfoundland as Administrator of the Government of that Colony, of which he was subsequently appointed Governor and Commander in Chief.

In February 1857, was appointed Captain General and Governor in Chief of Jamaica, an office which embraces the general superintendence of the affairs of British Honduras and the Turks' Islands, and at that time included also the Government in Chief of the Bay Islands. 1857.

(signed) *C. H. D.*

May 1862.

The following extracts of letters written by, or by direction of successive Secretaries of State, illustrate the circumstances under which Mr. Darling was appointed to the several administrative offices enumerated in the foregoing statement:—

From Earl *Grey* to Mr. *Darling*, dated 14th August 1847.

"In consequence of the very strong terms in which you were recommended to me by Lord Elgin previously to his departure for Canada, I am happy to be able to offer to submit your name to Her Majesty for the Lieutenant Government of St. Lucia, should you think proper to accept that appointment. I have been anxious in filling up this office to consult both the particular interests of St. Lucia and the general interest of the Colonial Service, by conferring it upon a gentleman who had established claims to promotion by the ability with which he had discharged the duties of a less important appointment; and I am happy to think, from the reports I have received from both the present and the late Governors of Jamaica, that I could not with that view make a better selection than that of yourself."

From Earl *Grey* to Mr. *Darling*, dated 12 January 1852.

After mentioning that a new Governor had been appointed to the "Cape," and that it had been determined "also to appoint a Lieutenant Governor to conduct the civil government at Cape Town while the Governor is directing the military operations.

"This last office will be one of great importance and responsibility; and upon considering to whom it may be most fitly entrusted, it has occurred to me that from the experience you have had in the administration of a Colony, and from the highly satisfactory manner in which you have acquitted yourself of that task in St. Lucia, I could not place the duties of Lieutenant Governor of the Cape in better hands than your own."

From the Right Honourable Sir *George Grey* to Mr. *Darling*, dated 6 July 1854.

"Her Majesty's Government have also in contemplation the appointment of a Lieutenant Governor for the Eastern Division of the Colony.

"Under these circumstances, the functions of the office to which you were appointed by Lord Grey, pending the urgent necessity for the presence of the Governor on the Eastern Frontier, which has now happily terminated, naturally cease. I have therefore to express to you the sense entertained by Her Majesty's Government of your services in the performance of those functions, and you will hold yourself in readiness to return to England on the arrival of Sir George Grey to assume the government."

From the Right Honourable Sir *George Grey* to Mr. *Darling*, dated 1 July 1854.

"I beg to acquaint you that, before resigning the seals of this department, his Grace the Duke of Newcastle recommended Her Majesty to confer upon you the government of the island of Antigua, and that Her Majesty was pleased to accede to that recommendation.

"It will give me much pleasure to find that you are able to accept this appointment."

From His Grace the Duke of *Newcastle* to Mr. *Darling*, 5th July 1854.

"This appointment (that of Sir George Grey to be Governor of the Cape), under the new arrangements for the government of the Cape, abolishes the office which you have held of Lieutenant Governor under Sir George Cathcart, and I felt justified in advising Her Majesty to promote you to the government of Antigua.

"I believe this to be a just reward for the zeal you have displayed in the public service both in St. Lucia and the Cape."

From *Herman Merivale*, Esq., C.B., Under Secretary of State, to Mr. *Darling*, dated 15th August 1856.

"He (Mr. Labouchere) wishes to offer you the government of Jamaica, if it suits your views to accept it. Sir H. Barkly has been transferred rather suddenly to Victoria, and there is no one to whom Mr. Labouchere would more readily entrust the not very easy task of directing the affairs of the island than yourself, both from your old West Indian experience and from the ability and success with which you have discharged scarcely less difficult tasks of the same description. As, however, you have been subject to the inconvenience of so many changes lately, he was anxious not to propose this without some assurance beforehand that it was likely not to be unsuitable."

And after referring to the contemplated Fisheries Convention, it is added, "This must now occasion some delay in your actual removal to Jamaica; but Mr. Labouchere will be glad to have your acceptance notwithstanding."

The Right Honourable Mr. *Labouchere* to Mr. *Darling*, dated 12th June 1857.

"If you would like to be made a C. B. at once, I shall be ready to recommend you to the Queen for that distinction." *

* *Note.*—In consequence of a communication from Mr. Darling to Mr. Labouchere, having reference to a previous intimation from the latter upon the subject of a personal distinction, the proposed recommendation to Her Majesty was not made; but the proposal is adverted to as tending to show the approval by Her Majesty's Government of Mr. Darling's public conduct up to the termination of his government of Newfoundland.

Enclosure 2, in No. 26.

Encl. 2, in No. 26. STATEMENT of the Colonial Services of Mr. *C. H. Darling*, the Governor of *Newfoundland*.

1826, December. Mr. Darling obtained a commission in the army, in December 1826, by recommendation of the Board of Commissioners, after public examination at the Royal Military College, Sandhurst.

1827. In 1827, joined the staff of General Sir Ralph Darling, then Governor of New South Wales, and remained with him until the General's return from that government in 1832, having served, from his arrival in the Colony, as an Assistant Private Secretary to the Governor, and latterly filled also the appointment of Assistant Military Secretary, then the head of that branch of the staff.

1833. In March 1833, while a student at the senior department of the Military College, was appointed, upon the recommendation of Sir Ralph Darling, Private Secretary to Major General Sir Lionel Smith, then proceeding to Barbados as Governor in Chief of the Windward Islands, and Commander of the Forces in the West Indies, to carry out the emancipation of the slave population.

Remained as Secretary to the Windward Island Government until Sir Lionel Smith's appointment to the Government of Jamaica.

Sir Lionel Smith to Lord Glenelg. 16 July 1836. Recommended by Sir Lionel Smith for the office of Colonial Secretary of Barbados. First, upon public "grounds as an officer to be relied upon for industry and talents, &c., and secondly, as having so well served the public and the Governor," that the latter "owned the influence of warm friendship in recommending him to the Secretary of State."

Accompanied Sir Lionel Smith to Jamaica, and served as secretary to that Government, until Sir Lionel Smith's appointment to Mauritius in 1839. Mr. Darling did not accompany Sir Lionel Smith to Mauritius, there being no civil or private secretaryship in that Colony at the disposal of the Governor, but was strongly recommended by Sir Lionel Smith

Smith to Lord John Russell, then Secretary for the Colonies, for a West Indian lieutenant government, as an officer who "would render useful services wherever he was employed, and do himself and the Government he served under, great credit;" and as one "than whom no man could be found more deserving of his (the Secretary of State's) confidence, and that he would discharge all his duties with great good faith, intelligence, and ability." 1840.

While anxiously expecting higher employment in the Colonial Service as the result of this recommendation, and having retired from the military profession, which the engrossing nature and extent of his civil duties had rendered it impossible to pursue with credit or advantage, Mr. Darling revisited Jamaica, to give his personal superintendence to property which he had acquired by purchase in that island, immediately after the establishment of perfect freedom in 1838. He was shortly after elected member of Assembly for the parish in which his property was situated—a position which he continued to occupy until the close of the year 1846. 1841. 1842.

In 1843, the charge and control of the Immigration Department was entrusted to him by the Earl of Elgin, then Governor of Jamaica, and during his administration of that office the immigration of East Indian coolies into the island both commenced and terminated. Mr. Darling also held under the Government of Lord Elgin, and that of his lordship's successor Sir Charles Grey, the unpaid office of Adjutant-General of Militia, and was a working member of the Education, Prisons, and Lunatic Asylum Boards. 1843.

On his retirement from the Government of Jamaica, Lord Elgin brought Mr. Darling's services under the special notice of Earl Grey, then Secretary of State for the Colonies, observing that during his administration he "had frequently had occasion to bear testimony to the value of those services, and that he considered himself to have been under special obligations to Mr. Darling on public grounds;" that Mr. Darling had "rendered essential service to the Colony, both as agent for immigration and in other capacities in which he gave the Government gratuitously the benefit of his talents and experience; that he united, in a high degree, probity, ability, and habits of business, with conciliatory manners; and that his Lordship would be rejoiced to learn that he was placed in some situation which afforded a larger scope for his talents than that which he then occupied." 1846. Lord Elgin to Earl Grey. 3 December 1846.

During the latter part of the intermediate administration of General Berkeley, and the early period of the government of Sir Charles Grey, Mr. Darling was again employed as Secretary to the Government of Jamaica, until in the year 1847 he was appointed to the lieutenant-government of St. Lucia by Earl Grey, who, in offering the appointment, observed:—"I have been anxious, in filling up this office, to consult both the particular interests of St. Lucia and the general interest of the Colonial Service, by conferring it upon a gentleman who had established claims to promotion by the ability with which he had discharged the duties of a less important appointment; and I am happy to think, from the reports I have received from both the present and late Governors of Jamaica, that I could not, with this view, make a better selection than that of yourself." 1846. 1847.

Upon Mr. Darling leaving Jamaica to assume his government, Sir Charles Grey thus expressed his opinion of his services:—"I cannot take leave of you without expressing the entire satisfaction with which I have observed your conduct in office, and the sense which I entertain of the services you have rendered, and the assistance I have received from you in your capacity of Governor's Secretary. I rejoice, however, for your own sake, that you are about to enter upon higher and more difficult duties, because I feel sure that you will distinguish yourself by deserving, and I hope by commanding success, and that you are now about to take only the first of several steps by which you will ascend to eminence."

Upon the resignation by Sir William Reid of the government of the Windward Islands in 1848, that distinguished Governor recorded publicly his opinion of Mr. Darling's services for the few months which he had served under his orders. A copy of Sir William Reid's Despatch is not in Mr. Darling's possession. It bears date the 4th September 1848 (No. 61), and was acknowledged by Lord Grey, on the 15th October, in a Despatch to Sir William Colebrooke, in which his Lordship intimated his "entire concurrence in the opinion expressed by Sir William Reid as to the qualifications for the administration of Colonial Government which have been exhibited by Mr. Darling, Lieutenant-Governor of St. Lucia." 1848.

Upon the occasion of Mr. Darling proceeding to England, on leave of absence from St. Lucia, in 1851, Sir William Colebrooke, then Governor General of the Windward Islands, wrote "to assure you that I fully appreciate the value of your services at St. Lucia during the eventful period in which you have been called upon to administer its affairs." 1851.

In 1852, while on leave of absence, Mr. Darling was selected by Lord Grey for the lieutenant government of the Cape of Good Hope, an office specially created for the purpose of assisting the late Sir George Cathcart in the discharge of the duties of Governor of that Colony, combined as they were with the command of the troops; involving the subjugation of the Kaffir tribes, the settlement of the North Eastern and Eastern frontiers, and the inauguration of the new Elective Constitution. Lord Grey, on this occasion, wrote to Mr. Darling that it was intended "to appoint a Lieutenant Governor to conduct the Civil Government at Cape Town while the Governor is directing the military operations. This last office will be one of great importance and responsibility, and upon considering to whom it may be most fitly entrusted, it has occurred to me that from the experience you have had in the administration of a Colony, and from the highly satisfactory manner in which you have acquitted yourself of that task in St. Lucia, I could not place the duties of Lieutenant Governor in better hands than your own. My object, therefore, in now writing 1852.

writing to you is to ask whether you would accept the appointment if conferred upon you, in which case I should have much pleasure in recommending you for it to the Queen."

1853. Date. In an official letter addressed to Mr. Darling by Sir George Cathcart, at the termination of the war, published and circulated by Sir George, with a printed minute of his own, for the Council of the Colony, that lamented officer pointedly acknowledges "the advantage of your Honor's able and cordial co-operation at Cape Town, which has supported me so essentially during the performance of my laborious task on this frontier;" and in transferring the sole government of the Cape to Mr. Darling, upon his departure for England in

1854. May 1854, these sentiments he again records thus:—"I cannot close this without thanking you for the friendly and able assistance and cordial co-operation you have at all times rendered me in the performance of the duties of the Government of the Cape of Good Hope."

The letter expressing these sentiments was communicated to Her Majesty's Government in a Despatch, in which Sir George, after adverting to the approaching transfer of his authority as Governor and as Frontier Commissioner to Mr. Darling and Sir George Clerk, respectively, says:—"I leave this Colony now in the confident belief that the public interests could not be entrusted to the management of more zealous agents, or remain in abler hands." On the 25th July, 1854, the Secretary of State apprised Mr. Darling officially of the appointment of Sir George Grey, lately Governor of New Zealand, to succeed Sir George Cathcart as Governor of the Cape and Frontier Commissioner, and the intention to nominate a Lieutenant Governor of the Eastern Districts of the Colony, adding:—"Under these circumstances, the functions of the office to which you were appointed by Lord Grey, pending the urgent necessity for the presence of the Governor on the eastern frontier, which has now happily terminated, naturally cease. I have therefore to express to you the sense entertained by Her Majesty's Government of your services in the performance of those functions, and you will hold yourself in readiness to return to England on the arrival of Sir George Grey to assume the government." At the same moment, Mr. Darling received an intimation from the Duke of Newcastle that his Grace had advised Her Majesty "to promote him to the government of Antigua," which his Grace believed to be "a just reward for the zeal you have displayed in the public service, both at St. Lucia and the Cape."

These last-mentioned communications refer entirely to Mr. Darling's discharge of his duties as Lieutenant-Governor of the Cape, while Sir George Cathcart was still in the Colony, but nearly for seven months after that officer's departure, the sole administration of the government devolved upon Mr. Darling. During that period it fell to his lot to inaugurate the Parliament of the Cape, whose first session terminated under his auspices. Handing over the government to Sir George Grey, in December 1854, he returned to England, and shortly after his arrival it was proposed to him by Secretary Sir George Grey on behalf of Lord John Russell, then Secretary for the Colonies, that instead of proceeding to Antigua, he should undertake the government of Newfoundland, where the system of administration known as "responsible government" was about to be established, and a state of affairs of a difficult and delicate nature had arisen between the Executive and the House of Assembly. Meeting the wishes of Her Majesty's Government without hesitation, Mr. Darling proceeded to Newfoundland, and although the political conjuncture which he had to encounter upon assuming the government, necessitated the exercise of a wide discretion on his part, and is indeed described in the Despatches of the Secretary of State as constituting "difficult circumstances," he has been so fortunate as to find that that discretion has been pronounced to have been "soundly" exercised, and that the policy he adopted, and has continued to pursue, has secured the expressed approval of Her Majesty's advisers. With respect to Mr. Darling's service up to the date at which he himself assumed the responsibilities of administration, it will be observed that it included the whole of the memorable period of the transition of the negro population of the West Indies from slavery to freedom, during which he was secretary to the Government either of the Windward Islands or of Jamaica.

It may now be further noticed, that its termination was marked by the unusual compliment of an unanimous address from the members of the Council and Assembly of Jamaica, presented by the President and Speaker, in which, after congratulating him upon his appointment to the lieutenant government of St. Lucia, they were pleased to observe, "the ability with which you have discharged your public duties in this island have entitled you to our highest respect, while in the circles of private society your courteous and affable demeanour will be long held in pleasing remembrance." To estimate the true value of these sentiments, and of the language in which they are conveyed, it is absolutely necessary to have been acquainted with the political confusion, the violence and acrimony of party spirit, which characterised the early and the latest portions of the term of service to which it applies.

As an administrator, Mr. Darling's duties have extended over eight years.

The positions which he has occupied were not, he freely admits, nominally of great prominence, but he ventures to believe that they may be fairly said to have involved serious responsibilities and services of an important and special character.

With respect to his government of St. Lucia, it may be sufficient on this point to refer to the terms in which it is mentioned by Earl Grey, at pages 121 to 126 of the 1st volume of his Colonial Policy (2nd edition), corroborated, as his Lordship's opinions are, by the terms of the address presented to Mr. Darling, upon leaving that Colony in 1851, by the principal inhabitants of all classes, including such members of the Council which then constituted the Legislature

Legislature as were within reach of the seat of government. In this address the period of Mr. Darling's government is adverted to as an eventful one, calling in a higher degree than had any other period since the island became a British Colony for the exercise of sound administrative qualities; and as the most prominent of the points on which they base this declaration, they refer to the "greatly excited and disturbed state of the community" when Mr. Darling landed on their shores, and the success with which he "laboured to allay this excitement, and restore harmony and good-will."

To the manner in which, upon the discovery of "extensive peculations, long and systematically carried on in the Treasury Department, which deprived Mr. Darling of the services of the person" who had "long acted in the double capacity of Colonial Secretary and Treasurer, your Excellency conducted this most painful and tedious investigation, and thoroughly sifted it, as having excited our most sincere gratitude and admiration;" adding that "the corruption, confusion, and total disorganisation which were then discovered to prevail" in both departments, received "your Excellency's immediate attention, and led to an entire cleansing and remodelling."

To Mr. Darling's "zealous advocacy" of the "improvements introduced into the courts of justice;" to his "persevering exertions," to which "the community was mainly indebted for the important step made towards self-government and liberal institutions in the Corporation Ordinance, &c."

To the "solicitude invariably manifested to promote the interests of the Colony by means of immigration."

To "the anxiety and comprehensive views displayed by your Excellency in the attempts to restore the confidence of British capitalists in the inexhaustible resources of the soil, &c.," as calling forth their "highest esteem and approbation."

To the encouragement afforded by Mr. Darling and the attention paid to the promoting of religion, education, and improved systems of agriculture; and they conclude in these comprehensive words:—

"In short, your Excellency leaves this Colony, as regards its tranquillity and prospects, in a state very different from that in which you found it; and the recollection of the important benefits derived from your Excellency's administration cannot fail to live long and gratefully in our remembrance, since we cannot but feel that this salutary change has been mainly brought about by the experience, sound judgment, energy, and love of justice which your Excellency has brought to bear upon all the branches of your administration."

Nor was the period of Mr. Darling's administration of St. Lucia without an occurrence which formed a marked exception to the ordinary routine of colonial government. In 1849 an outbreak of the labouring population took place, which was only prevented from assuming the character of a serious insurrection by the promptitude and vigour with which it was repressed; instigated, there is little doubt, by residents of French extraction, who professed the principles of the extreme democratic party in the French Revolution of 1848, and availed themselves of the spirit which naturally resulted from the mode in which the emancipation of the negroes was accomplished in the neighbouring Island of Martinique (about 500 of the refugees from which were in St. Lucia). Its first outbreak was directed, and with extreme violence, against the person of the Lieutenant Governor, as the head of the Local Government. Under his personal direction it was suppressed, although not without loss of life and destruction of property. The ringleaders and principal offenders were subsequently brought to justice before the ordinary tribunals, while the universal clamour with which the Lieutenant Governor was assailed to proclaim martial law was steadily resisted.

The nature and character of this outbreak, and the conduct of the Lieutenant Governor in relation to it, may be sufficiently gathered from the language of the Governor General of the Windward Islands, Sir William Colebrooke, and of Her Majesty's Secretary of State. The former conveyed to Mr. Darling his "congratulations, that this formidable insurrection has been quelled with so little sacrifice of life and property, considering the aspect and ramifications of it;" and Earl Grey having laid the reports of the occurrence before the Queen, was graciously commanded to convey to Mr. Darling Her Majesty's acknowledgment of "the decision, discretion, and vigour which marked his conduct, under the very difficult circumstances in which he was placed."

That Mr. Darling's appointment to the lieutenant government of the Cape may be considered as a special mission of importance, rather than an appointment in the ordinary course of Colonial service, is apparent from the terms of the letter from Earl Grey already referred to, in which it was proposed to him, and those of the Despatch in which its termination was announced.

It was proposed as an appointment of "great importance and responsibility," the object of which was, to conduct the Civil Government at Cape Town, while the Governor was directing the military operations upon the frontier, and its discontinuance was announced as the termination of the "functions of the office to which you were appointed, pending the urgent necessity for the presence of the Governor on the eastern frontier."

In Earl Grey's Despatch, No. 12, February 1852, to Sir George Cathcart, after adverting to the fact that "in contemplation of law," the Lieutenant Governor can only execute the orders of the Governor while the latter is within the geographical limits defined by his commission, the Governor is instructed to convey those orders "in the form of instructions as General, and giving him (the Lieutenant Governor) as free scope of action, so far as circumstances will admit, as if you were actually beyond the frontier."

The orders which were issued by Sir George Cathcart accordingly, upon proceeding to

the frontier, immediately after his assumption of the Government, were to the effect, that the instructions and decisions of the Lieutenant Governor should be obeyed as if they were those of the Governor himself, until they should be cancelled or countermanded by the latter. The ordinary Civil Government of the Cape Colony, during the whole period of Sir George Cathcart's service in South Africa, with the exception of the last month, when Sir George was in Cape Town, was in fact conducted by Mr. Darling, and without a single instance of the exercise by the former of the authority thus reserved to himself.

The more important and momentous of the duties assigned to Sir George Cathcart in his joint civil and military capacities, as may be gathered from Earl Grey's Despatch, were :—

1st. The complete subjugation of the Kaffirs and rebellious Hottentots.

2nd. That being accomplished, the revision of the system of frontier policy and its future settlement upon better and safer principles; and as essential to this object,—

3rd. The allaying of those jealousies and animosities which had hitherto "unfortunately, divided the colonists, and the securing their union," in support of the Government.

To these great ends it was no doubt Mr. Darling's duty to contribute by every means in his power, besides taking care that the ordinary responsibilities of the Civil Government were properly fulfilled.

The general testimony of Sir George Cathcart on this point has been already quoted, and special reference may now, perhaps, not unjustly be made.

1st. To the spontaneous appeal, which, on the occasion of Sir George Cathcart's expedition across the Kei, was made by Mr. Darling to the burghers of the western districts, who, in the previous year, had failed to respond to the summons of Sir Harry Smith; Sir George Cathcart having, in a published manifesto addressed exclusively to the eastern districts, declared that the "colonists themselves must help to put an end to this long and tiresome war, and establish a lasting peace;" and that the objects of his expedition were "to test the power and willingness of the colonists to come forward in their own cause; and to demonstrate that, independently of the irresistible power of Her Majesty's armies, there is a force and energy within the Colony sufficient to chastise him (Kreli), should he again be guilty of aiding or abetting in hostilities against the Colony;" and having further intimated his expectation that all those who are not fighting men, and "stop at home, will encourage and assist to their utmost those who go forth in their cause, giving them ample means of equipment and support, in respect of their horses, arms, and sustenance, until they meet me."

The Lieutenant Governor's appeal met with complete success; the strongest expression of a desire to support the Government and exhibit "union" in that object were elicited throughout the western divisions of the Colony, and their sincerity tested by large pecuniary contributions, destined for the support of the eastern district's volunteers, then in the field, but which the prompt termination of the expedition enabled the Lieutenant Gover- to return, with the cordial acknowledgment of the Government.

2. To the course pursued by Mr. Darling when it became necessary to meet the old Council for the despatch of business after the announcement was received in the Colony, of the determination of Lord Derby's Government to suspend or delay the establishment of the new Constitution of the Cape, calculated as, under the circumstances of the Colony, especially in the western districts and Cape Town, such a determination was to occasion a political crisis of no ordinary character.

This occurred during the absence of Sir George Cathcart, on his expedition against the Basuto Chief, "Moshesh."

Adverting to Mr. Darling's communication to the Council on this occasion, Sir George wrote, "I congratulate you on your admirable minute at the opening of the Legislative Assembly; I think you have put the case in its proper light, and have avoided saying anything that could give an opening for cavil." The steps which Mr. Darling took to repress the first demonstration of an intention to create political disturbance by removing agitation against the authority of the old Legislature were successful, and, having been duly reported to Her Majesty's Government, were approved.

3. To the success with which Mr. Darling laboured to conciliate and remove all causes of dissatisfaction upon the part of that large section of the colonists whom he found in a state of comparative alienation from the Government. This is attested by many addresses and public documents which were placed on record during Sir George Cathcart's administration. But Mr. Darling will only refer in this place to the addresses from the Council and Assembly presented to him upon the notification to the Cape Parliament of Sir George Grey's appointment to the government of the Cape, copies of which are appended to this paper, and to an address signed by 300 of the leading inhabitants of Cape Town, representing all classes of the community, presented to him in November 1853, and which contains the following passages:—

"And we now beg to convey to your Honour our sense of the wise, sound, and conciliatory policy pursued by your Honour from the moment you first set foot among us. your unceasing exertions to assuage the political animosities and party differences which had for a while unhappily divided us. We feel that it is to your Honour's prudence and statesmanlike measures we are indebted for the restoration of unanimity of classes and races, now firmly united in grateful loyalty to the British Throne. The unavoidable absence of his Excellency the Governor has placed the reins of Civil Government entirely in your Honour's hands, and the concord which exists between your Honour and the able, sagacious

sagacious officer, who has brought to a successful issue a hitherto unfortunate war, must be most gratifying to your Honor, satisfactory to Her Majesty, and cannot but tend to strengthen confidence in your government.

"Upon the future we venture to express our hope that your Honor's liberal and conciliatory policy, which has secured you the confidence of all classes, may continue to be carried out; that, as you have presided over the close of the last meeting of the Legislative Council, you may be spared to witness the opening of the first Cape Parliament; and then, when the period shall at length arrive when a change must take place among the heads of administration in this Colony, Her Majesty's Ministers will bear in mind the claims of the distinguished and efficient officer who has so ably and zealously carried out their liberal donation of a free Constitution to this Colony."

Sir George Cathcart, having been appointed to the office of Adjutant General of Her Majesty's Forces, embarked for England, as has been already noticed, in the month of May 1854, transferring the sole government to Mr. Darling, by whom it was conducted until the arrival of Sir George Grey, in December of that year.

The duty of opening the first Parliament of the Cape devolved, in consequence, upon Mr. Darling.

The difficulties attending the position in which Mr. Darling was thus placed are, he believes, fully understood and admitted at the Colonial Office; and at any rate they could not in a paper of this nature be entered upon at length.

That great importance was attached by Her Majesty's Government even to the duty of inaugurating the new Constitution of the Cape, is, however, apparent from the following extract of a Despatch addressed to Sir George Cathcart by Sir John Pakington on the 4th September 1852, assigning the reasons which induced Her Majesty's then Government to delay the inauguration of the new Elective Legislature.

"Nor have they (Her Majesty's Government) been able to overlook the circumstances that if they were to disregard these obstacles, and direct the new Constitution to be at once proclaimed, your duties at the seat of war would necessarily prevent you from giving that attention and superintendence which are required at the commencement of a change of such great importance, and which, without undervaluing the qualifications of your Lieutenant Governor, both Her Majesty's Government and the people of the Colony would naturally expect to be exercised at such a time by yourself in person." This opinion seems to have been equally entertained by the Duke of Newcastle, as his Grace, when announcing, on the 14th March 1853, the intention of the Earl of Aberdeen's Government to bring the Constitution into early operation, observes, that "the period fixed for the commencement of the Constitution Ordinance will afford ample time for you to prepare the necessary measures, even in the event of your absence from the seat of Government when this Despatch reaches you." The term of Mr. Darling's intermediate administration of the government of the Cape was not brought to a close without the occurrence of events which, if not successfully dealt with, would have involved serious political consequences, and materially embarrassed the position of the officer appointed to the more permanent charge of the Government in the outset of his administration.

The dissolution of the first Parliament of the Colony, or its prorogation, without passing the supplies, in consequence of a conflict between the Council and Assembly, at one time seemed inevitable, but was, with all its certain consequences of renewed party animosity and political excitement, happily averted by the direct intervention of the Lieutenant Governor, and the effect of that influence which resulted from the confidence placed in him by the Assembly and the great majority of the Council.

Scarcely had this difficulty been overcome, and the Legislative Session been brought to a satisfactory close, than serious alarm rose on the eastern frontier, that the Colony was again upon the point of being exposed to the horrors of an outbreak of the Kafir tribes in combination with the Fingos, who are settled within the colonial borders; and a pressure was immediately put upon the Lieutenant Governor by the frontier authorities and inhabitants, to induce him to take strong overt steps, by the declaration of martial law, the formation of burgher lawyers, &c. This course Mr. Darling firmly believed would, under then existing circumstances, have precipitated an immediate crisis, and thus accomplished a result which the history of the origin and conduct of former wars of the same nature too clearly shows would have been in the highest degree acceptable in many quarters, as involving an enormous expenditure, within certain districts, of the treasure of the mother country. Steadily resisting these importunities, the Lieutenant Governor took immediate steps for tranquilising the minds of the Fingos, with whom there were not wanting some just grounds of discontent, peremptorily stopped the sale of gunpowder on the frontier and at Port Elizabeth, and assumed the responsibility of detaining a regiment then under orders for England, while precautionary measures against any sudden outbreak, by strengthening and supplying the frontier ports, were taken under the superintendence of the General Officer commanding on the frontier. The following extract of a private letter from Sir George Clerk, then Frontier Commissioner,* may serve to show the opinion which that distinguished administrator entertained of the course adopted by Mr. Darling to meet this conjuncture.

"I trust that nothing I have written leads you to think for a moment that I feel otherwise than truly sensible of the full and very prompt attention you have given to questions regarding which I have ventured to offer opinions when on the frontier.

"In particular, your sedative for the Fingos was as timely as you could possibly make it; that it has not yet, and I fear will not, ultimately produce all the good effect intended, is owing to the circumstance that no such tribe of barbarians can so readily distinguish, or be

* Now a member of the Council of India.

C. H. D.
12 Oct. 1866.

be expected to distinguish, between proposals of the Legislature approved or disapproved by the Government," &c. &c.

Although no doubt the embers of rebellion and insurrection still smouldered, and might by one false step have been fanned into an immediate flame, yet the actual tranquillity of the frontier remained unbroken; and instead of handing over the government of the Colony in a state of distraction and suffering from barbarian invasion, similar to that in which it was found when Sir George Cathcart and Mr. Darling set foot upon its shores nearly three years before, it was the Lieutenant Governor's good fortune to transfer it to the able hands of the eminent officer who now administers it in such a condition of harmony and peace as to present a fair field for the exercise of those talents for colonial government, and the management and civilisation of barbarous tribes, which have hitherto distinguished Sir George Grey's career.

In adverting to the addresses presented to Mr. Darling by the Council and Assembly of the Cape, which, in brief but unequivocal language, convey the testimony of those bodies to the character and results of Mr. Darling's policy and general administration, his real share in the responsibility of which could not fail to be well known to them, Mr. Darling may be excused for attaching perhaps more than ordinary importance to these documents, inasmuch as although the Parliament from which they proceeded is composed of 61 members, all elected, together with the Chief Justice of the Colony, and includes representatives of every class and section of the inhabitants, however distinguished from each other by extraction, profession, religious belief, social position, or political opinion, together with those who immediately conducted or materially influenced every section of the public press, and, indeed, many who had warmly opposed the establishment of the institution, of which they then appeared as component members, yet the documents referred to were passed without one dissentient voice, and presented by the bodies from which they emanated, with the President and Speaker at their heads respectively.

At the close of Mr. Darling's administration, and after the conduct of affairs had been transferred to Sir George Grey, the municipality of Cape Town, a body composed of 12 members, all men of wealth and influence, six of whom are members of the Legislative three of the Elective Council, and three of the House of Assembly, when congratulating Sir George Grey on his arrival, thus addressed him:—

"The Commissioners have much satisfaction in referring your Excellency to the present state of public feeling, which they mainly attribute to the wise, judicious, and conciliatory policy adopted by your predecessor, the late Lieutenant Governor Charles Henry Darling, Esq., and while they gratefully acknowledge the benefits it has caused, they beg at the same time to express their perfect confidence that, under your administration, nothing will be wanting on the part of your Excellency to promote the energy, harmony, and goodwill which now so happily prevail amongst all classes of Her Majesty's loyal subjects in this dependency;" which Sir George in his reply acknowledges thus:—

"It is very satisfactory to me to find in what warm and grateful terms you allude to the public services of Lieutenant Governor Darling, and how fully you appreciate the zealous efforts which he has so unremittingly made to promote the welfare of this Colony."

In closing this summary of his administration at the Cape, Mr. Darling will be well content that it should be judged by answers to the following inquiries:—

What was the state of that Colony, politically and socially, in April 1852, when he first assumed the administrative duties belonging to his position in its government?

What was its state in these respects when he transferred the government to Sir George Grey in September 1854?

What share in achieving the great change which it then exhibited may, upon the testimony of Sir George Cathcart, of the Parliament of the Colony, of municipal and other influential bodies of the inhabitants, and upon reference to the correspondence between the Home and the Colonial Governments, be fairly ascribed to Mr. Darling's exertions and conduct during the period when he held the anomalous and difficult position of a Lieutenant Governor exercising the powers of a Governor himself, in discharge of his commission in a distant portion of the Colony—a position which, while officially made strictly subordinate to the Governor, was always considerately designated by Sir George Cathcart himself as that of a colleague or joint administrator?

What character and measure of success may be justly assigned to Mr. Darling's government of the Cape during the period when its sole administration was in his hands—a period the importance and peculiar responsibilities attending which cannot be more strongly exhibited than by reference to the view already shown in this paper to have been taken by Her Majesty's Government, of the duty of merely inaugurating the Parliament of the Colony, and to the fact that a Secretary of State, in a communication to Sir George Cathcart, described that responsibility as "the inevitable risks of a provisional governorship," and urged upon a no less able and distinguished civilian than Sir George Clerk to undertake that provisional government until the arrival of Sir George Cathcart's more permanent successor? It is a source of great satisfaction to Mr. Darling that he can conclude this statement by declaring, that throughout the long course of service to which it relates, and which is, he believes, unequalled in point of its extent, of its continuity, and of the early date at which he held important, although not administrative, office, by that of any other Governor now in employment, he has, while receiving the strongest testimonials of the respect and approbation of the several communities in which he has completed his terms of office, had also the good fortune not to incur the disapproval by his official superiors even of the slightest detail of his public conduct, except in two instances.

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These Mr. Darling now adverts to only because it might seem an attempt at evasion altogether to pass them over in a document of this nature. Both occurred during his Lieutenant Government of the Cape, and both originated in the peculiarity of the office he filled—an office which, while practically investing him with the responsibilities of administration, at the same time not only officially bound him to obey the commands, but imposed also a moral obligation to consult the views and wishes, of a superior actually in the Colony, and who it was universally known had the power of immediately reversing or nullifying his proceedings.

In one of these cases, he transmitted such explanation as he believes must have greatly exonerated him from the blame at first imputed to him, of the other, which constituted a charge of a "want of forbearance and moderation" towards a subordinate officer—a defect which Mr. Darling freely admits would, if habitual, constitute a serious blemish in the character of a Colonial Governor; he will only observe that (if an unfavourable opinion of the case be still retained) it will be found, upon reference to documents in the Colonial Office, to form a remarkable exception to the whole of his previous demeanour in that regard, as shown by the testimony, warmly rendered, of his former equals and subordinates in the service.

Moreover, Mr. Darling has even in this case been apprised, on the part of Her Majesty's Government, that his conduct therein is admitted to have originated in a "sense of public duty," and that his services "in the execution of his more important duties had been such as to render Her Majesty's Government very unwilling to allow the fault which they found with it to weigh against those services."

Indeed the mail which conveyed this communication to Mr. Darling, conveyed to him also the announcement of his nomination to a governorship in chief, with five subordinate administrators reporting through, and receiving orders from, that functionary.

Finally, Mr. Darling would offer his assurance, that although the nature and object of this paper have rendered it impossible that the narrative it contains could be exempt from an appearance of egotism and self-laudation, yet he is most fully sensible of the extent to which he is indebted for any public success he may have achieved, to the sympathy, approval, and encouragement of his superiors, not less than to the assistance and co-operation of his subordinates, since he has himself occupied positions of high trust; while in all the stages of his career he has unfailingly acknowledged the advantage he has derived from the cordiality with which goodwill and confidence in his intentions have been demonstrated, and flattering acknowledgments of his services rendered on the part of the communities amongst whom that career has been passed.

Government House, Newfoundland,
25 March 1856.

— No. 27.—

No. 27.
Sir F. Rogers, Bart., to Sir C. Darling, K.C.B.
23 October 1866.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 23 October 1866.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 12th of October,* containing a statement of your services in connection with this department, which will remain on record in this office.

* Page 73.

I am, &c.
(signed) *Frederic Rogers.*

— No. 28. —

No. 28.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
15 October 1866.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Bella Vista, Hampton Court,
15 October 1866.

My Lord, (Answered, 30 October 1866, page 86.)

I HAVE had the honour to receive Mr. Adderley's letter of the 12th instant,* acquainting me, by your Lordship's direction, that if the sum which has been voted to Lady Darling by the Legislative Assembly of Victoria should be accepted, I must cease to retain my connection with the colonial service.

* Page 64.

In the year 1862, the services which up to that period I had rendered to the Crown were characterised by the late Duke of Newcastle as "long and efficient, arduous, important, and approved;" and they were considered to have merited the distinction of the Knight Commandership of the Bath.

Before I wrote the Despatch which furnished the plea for my recall from the Government of Victoria, I had held the appointment of a Colonial Governor uninterruptedly for more than 18 years, during which time I had received in all 20 months' leave of absence, at two periods, separated by long intervals, and both after protracted service in the West Indies. I had, therefore, established a *primâ facie* claim to a retiring pension when I should have attained the age of 60, subject, of course, to the demands upon my services provided for by the 9th section of the Pensions Act.

The sum voted by the Assembly of Victoria to Lady Darling was intended "to obviate in some degree the heavy pecuniary loss to my family" occasioned by my premature recall from the government of the Colony of Victoria, to which your Lordship has so feelingly and kindly referred.

That recall was based upon the sentiments expressed, and the language employed, in a Despatch addressed by me to Mr. Cardwell, which were supposed to indicate an intended course of conduct on my part, which subsequent events clearly demonstrated I did not pursue.

There was nothing in my conduct which could possibly excite a suspicion that I had written that Despatch in the expectation of obtaining a beneficial donation from the colonists, or any section of them.

The fact that your Lordship has already decided that my eligibility for an office corresponding in its nature and dignity to that from which I have been recalled is not impaired by the circumstances attending that recall, is itself an effectual bar to all suspicion of the motive in question, removes, as it seems to me, the whole case out of the regulations to which Mr. Adderley's letter refers; and has, to all intents and purposes, fulfilled the pledges which I made to the Assembly of Victoria in my communication to that body respecting the proposed grant, before I left Australia.

Since the 7th of May last, I have been without official income, and dependant upon resources which properly and justly ought to be appropriated to other purposes.

I have no means of judging how long my present severance from the colonial service will continue, or what may be the value or status of any office to which it may be in contemplation to appoint me, or whether the duties of that office may be such as I should feel able to undertake with satisfaction to myself.

I know, however, that I could not enter upon any such office without either the aid of a public money grant, or incurring no inconsiderable debt.

I feel that I have been treated with severity, and, I think, with injustice also, by your Lordship's predecessor; and if my connexion with the public service be renewed, I may again find myself discharging, under his direction and subject to his decisions and advice to the Crown, duties not simply subordinate and clearly defined, but involving the exercise of much discretion and responsibility.

Under these circumstances, the prospect of restoration to the colonial service, which your Lordship is good enough to hold out to me, must necessarily be regarded with very different feelings from those which it would have once inspired.

Upon the whole, I cannot doubt that if I am compelled to the choice of one of the two alternatives which I understand Mr. Adderley's letter to present to me, it would be better that I should accept that which involves my disconnection with the colonial service.

I understand, however, that your Lordship's objection to the acceptance of the money grant rests entirely upon its assumed conflict with certain regulations of the Colonial Department; and I hope I may have succeeded in demonstrating that your Lordship, in recognizing my eligibility for re-appointment to a Colonial Government, has deprived that objection of the force which might otherwise attach to it, and that the proposed grant being intended only to provide that just compensation for pecuniary injury which cannot be obtained from any other source, might be accepted without a violation of even the spirit of the regulations to which reference has been made.

But in expressing this hope, I am not influenced by mere mercenary considerations. I freely admit that if I am re-appointed to the active service of the Crown, in the only manner in which I am assured your Lordship would propose to me that I should be re-appointed, a less sum than that which the generosity of the Assembly of Victoria is disposed to provide, would restore

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me to the pecuniary position and prospects which I enjoyed at the period of my recall.

Her Majesty's Government would not, I hope, in that case feel bound to object to a grant which might be estimated upon the basis of the present probable value of the sum which I was legally entitled to as public emoluments in the first year of my government; but which I voluntarily abandoned; and of the expenditure for objects not personal to myself or to my family, which it may fairly be presumed would not have been incurred if I had conceived that I was liable to be suddenly recalled from my government, upon grounds not of misconduct or indiscretion, and which it is enough to repeat without entering upon their merits, ultimately proved to be founded in erroneous conjecture.

I have, &c.
(signed) *C. H. Darling.*

— No. 29 —

No. 29.

Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon. 17 October 1866.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Hampton Court, 17 October 1866.
(Answered, 30 October 1866, page 86.)

My Lord,

IN addressing your Lordship on the 15th instant,* I omitted to mention, as I had intended, that the Despatch, No. 7,† of the 26th May last, enclosing an address from the Legislative Assembly of Victoria to Her Majesty, must have proceeded from General Carey, and not from me, as stated in Mr. Adderley's letter to me of the 12th instant.‡

* Page 83.
† Page 29.
‡ Page 64.

I ought also to observe that I have never requested Her Majesty's sanction to Lady Darling's acceptance of the grant from the Colony of Victoria; I should not have considered that it was competent to Lady Darling to submit such an application.

My request was to the effect that my case might be investigated; and that, in regard to the grant, the power of the Crown might not be actively and formally interposed. In making that request, I have acted in the spirit of the assurance which I gave to the Assembly, that before any of my family would accept the grant, I would earnestly seek to obtain an investigation of my conduct in the government of Victoria, and ascertain what view might be finally held by the Crown in regard thereto.

I have failed to obtain that investigation, so far at least as the consent of the Crown is concerned, before a tribunal of "whatever kind"; but I am told that an objection is entertained to the acceptance of the grant, based upon regulations which appear to me entirely to relate to presents by subscription, and in regard to which I might even contend that the case having sprung altogether out of the difficulties which the double responsible government occasions, is one which the 58th Regulation almost exempts from the operation of the other regulations referred to.

I may add that, after perusing Mr. Cardwell's Despatch of the 26th February,§ I considered myself, so far as that Right Honourable gentleman could effect the object, to be dismissed, and ignominiously dismissed, from Her Majesty's service; for I was desired to transfer the government to General Carey, instead of waiting for the arrival of my successor, without the smallest intimation that I might look for further employment—an intimation which my own experience in the Colonial service teaches me is usual when such an intention is entertained, while the very allusion to my long services is made in such a manner as to convey the impression that those long services might be regarded as brought to a close.

If, therefore, I have thought that the regulations in question applied to the case, I should not have considered myself bound by them; but as I felt sure that if I was afforded an opportunity of adducing the explanations I had rendered before, and all the circumstances which had occurred both before and after Mr. Cardwell's Despatch was written, I should succeed in proving to any impartial tribunal that I was worthy to be re-instated, as expressed in my letter to your Lordship of the 11th ultimo,‖ in a position of rank and dignity equal to that which I had lost; and also that I deserved consideration in a pecuniary point

‖ Page 55.

§ *Vide* Papers presented March 1866, page 108.

point of view. I lost no time in addressing to your Lordship a request to that effect; to which request your Lordship was pleased to reply in the terms of Mr. Adderley's letter of the 12th instant.*

* Page 64.

I believe that it is quite impossible that justice can be done to me in respect to the question of pecuniary compensation, or any fair decision arrived at on the point, unless the merits and demerits of the case are fully examined into, and an opportunity afforded me of replying, either in writing or orally, to the questions which such an examination would suggest.

I have, &c.
(signed) *C. H. Darling.*

— No. 30. —

No. 30.
Sir F. Rogers, Bart., to Sir C. Darling, K.C.B.
30 October 1866.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Sir *Charles Darling*, K.C.B.

Sir, Downing-street, 30 October 1866.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letters of the 15th and 17th instant.*

* Pages 83 & 85.

I am, in replying to them, desired to observe that in referring to recent communications on Lord Carnarvon's part, you seem to suppose that Lord Carnarvon admits the injustice of your recall, your consequent right to compensation, and your eligibility for an office corresponding in nature and dignity to that which you have recently vacated.

The letter to which you, doubtless, refer, was not intended to carry this meaning, but only to assure you that his Lordship did not consider you disqualified for office under the Crown, and would consequently be prepared, when occasion should occur, to take into fair consideration all your claims to reappointment from whatever cause arising.

With this explanation, Lord Carnarvon has only to state that he finds himself unable to qualify the decision conveyed to you in Mr. Adderley's letter of the 12th instant.

I am, &c.
(signed) *Frederic Rogers.*

— No. 31. —

No. 31.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
20 October 1866.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Hampton Court, 20 October 1866.

My Lord, (Answered, 6 November 1866, page 87).

A CAREFUL re-consideration of Mr. Adderley's letter to me of the 12th instant,* induces me again to address your Lordship upon the subject of that communication.

* Page 64.

I am informed that your Lordship's objection to the acceptance of the grant of the Victoria Assembly consists in this: viz., that no such grants should, for the reasons stated, be made either directly to a Governor "himself, or in trust for him, or to some member of his family, so that he may have the enjoyment of them," and that in this view a Governor and his wife must be regarded as identical.

The object is that the Governor himself should not have the enjoyment of the grant; and it seems clear, indeed, that this is the only object which it is possible to accomplish, because, to use my own case as an illustration, if I had died before I left Australia, or if I were to die before the dissolution of the present Assembly, or if the Assemby existing at the time of my decease, whenever that event may take place, should feel bound in honour to give effect to the desire of the existing Assembly, to "obviate in some degree" the "very heavy pecuniary loss to his (my) family," occasioned by my recall from the government of Victoria, my children in accepting a grant made to them with that object, could not be visited with a penalty similar or corresponding to that which, as I am informed

informed by Mr. Adderley's letter, the acceptance of the grant either by Lady Darling, or myself during my lifetime, will entail upon me.

I submit, therefore, to your Lordship's consideration the following proposal, viz., that, subject to the deduction of any amount which your Lordship may think might justly be paid to me, under the circumstances represented in the concluding paragraph of my letter of the 15th instant, the grant should be divided into five equal shares: that one part should be given to my married daughter, and settled upon her children, or failing them, upon her brothers, share and share alike, and their heirs, and subject to the same trusts as their own shares would be subject to as hereafter explained. That the other four parts should be placed in trust to be invested in Victoria public securities, one share for the use of each son, the interest to be appropriated strictly to their education until established in some profession or pursuit, and thereafter paid to themselves; but the principal not to be paid to them until the death of their father, or if it be considered necessary, not even until the deaths of both their father and mother. Any additional pensions thought desirable in order to effectually accomplish the object might be added.

The trustees might be nominated by Her Majesty's Government, or if it is within the province of the Court of Chancery to undertake such a trust, a still stronger guarantee for its strict fulfilment would be afforded.

Under this arrangement, my children would not receive any benefit which, in the existing state of my affairs and obligations, could possibly be afforded to them from my own resources; therefore, no expenditure on my part would be saved, and no beneficial enjoyment accruing from such a saving be secured to me.

If this arrangement were not opposed by Her Majesty's Government, and nothing should occur to prevent its being carried into actual effect, I should be content, although two years and a half must yet elapse before I can prefer a claim to pension, to withdraw any pretension to further employment in the colonial service which may have been already admitted; but of course remaining subject to the power which the Pensions Act gives to the Secretary of State to require me to serve at any time before the age of 60.

I have, &c.
(signed) *C. H. Darling.*

— No. 32. —

No. 32.
Sir F. Rogers, Bart., to Sir C. Darling, K.C.B.
6 November 1866.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 6 November 1866.

IN reply to your letter of the 20th ultimo,* I am directed by the Earl of Carnarvon to acquaint you that he is unable to qualify the view which he has taken of this question, and that he must regard a gift to a Governor's family as equivalent to a gift to the Governor himself. His Lordship is therefore unable to give his sanction to your proposal that the grant of 20,000 *l.* voted by the Legislative Assembly of Victoria should be divided among your children.

* Page 86.

I am, &c.
(signed) *Frederic Rogers.*

— No. 33. —

No 33.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
24 October 1866.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

London, 24 October 1866.

My Lord, (Answered 3 November 1866, page 89.)

YOUR Lordship will have observed that in my letter of the 15th instant,* when referring to the possibility of my re-appointment to a Colonial Government, I expressed a doubt whether the duties of the office would be such as I could undertake with satisfaction to myself.

* Page 83.

I have suffered for many years from rheumatic gout, the attacks of which are more severe in tropical climates and in climates which are either humid or extremely cold. I have had two attacks of the disease since I left Australia.

I have within the last two days had an opportunity of consulting the gentleman who was my medical attendant in Victoria, the dry and temperate climate of which Colony was very favourable to the malady, while the duties of government did not require much active locomotion, or even unintermitted personal attention to the dispatch of current business.

The result of this consultation has been, that I consider it my duty alike to the public service and to myself to lay before your Lordship the enclosed letter to me from the medical gentleman referred to (Dr. H. R. Madden), and respectfully to request that your Lordship will be pleased to grant to me by writing under your hand the full rate of pension, namely, 1,000 *l.* per annum, which the length and other particulars of my service entitle me to claim.

I am prepared to reply, as also is Dr. Madden (whose address is 16, Westbourne-street, Hyde Park,) to any detailed inquiries which your Lordship may consider requisite in order to satisfy you that my claim is just.

I have also to submit my application that my pension may commence from the day on which I may cease to draw any portion of the salary which I enjoyed as Governor of Victoria.

The fact that I could have continued to perform my duties in Victoria efficiently only embitters the recollection of the injustice of my recall; and I beg, with high personal respect for your Lordship, to say, that I prefer this application for a retiring allowance on account of an infirmity of a physical nature, contracted while administering my governments, without prejudice to any right which the Constitution of Great Britain may confer upon me as one of its public servants, to seek redress and compensation for the injury I have sustained by the advice tendered to the Crown by your predecessor, and for which an allowance in the shape of an annuity for my own life is no compensation whatever in regard to the effects of that injury upon the permanent pecuniary interests of my family.

Although a Governor's commission is necessarily made revocable at pleasure, the regulation which declares that the duration of the appointment is for six years, or even longer, constitutes, as it seems to me at least, an honourable understanding, if not a guarantee, that after incurring the heavy expense which the appointment involves, he shall not be permanently deprived of it, except for just cause, which is matter of proof, or with full pecuniary comensation.

I have, &c.
(signed) *C. H. Darling.*

Enclosure in No. 33.

Encl. in No. 33.

16, Westbourne-street, Hyde Park, W.
22 October 1866.

My dear Sir Charles,

In consequence of a conversation I had with you about the probability of your receiving another appointment as Colonial Governor, I take this opportunity, as your medical adviser, of drawing your attention to the fact that it is only in certain climates that you would have any chance of retaining your health. You are already aware that I traced the improvement in your health while in Victoria in part, at least, to the fact that a warm dry climate evidently suited your constitution. But even there, notwithstanding most careful dietary, and guarding against exposure, you were unable to ward off the occasional severe attacks of your old enemy, rheumatic gout. You cannot have forgotten that on several occasions important business had to be transacted in your bedroom at Toorak, as you were unable to leave your room, and also that documents had to lay over for signature, as your hands were disabled. Again, it must be fresh in your memory that on more than one occasion when you had promised to take part in some public demonstration, at the Volunteers Review to wit, you were at the last moment obliged to give up all thought of being present owing to a sudden invasion of the gout. All this proves to me that with your very strong tendency to your hereditary malady, your freedom from it for the future will depend very much upon the climate in which you reside, and also upon your being kept as free as possible from worry and excitement.

As your medical adviser, therefore, I would urge this upon your consideration, and in the event of your being appointed to another Colonial Governship think well of the probable suitability of the climate, and the character of the duties expected from you, before you

you risk the injury to your health which would undoubtedly follow if you once more plunged into active life under unfavourable circumstances.

Do not conclude from this that I consider your present state of health as unsatisfactory, provided you can regulate your own movements and choose your own residence.

What I wish you to bear in mind is, that after so long and such severe attacks of gout as you have experienced, you must not run the risk which a younger man would dare, but must be contented to forego advantages which might otherwise be open to your acceptance if these are accompanied by the obvious risks to which I have referred.

Having watched your state of health during the whole time you were in Victoria, I shall be ready at any time to afford any official information that may be required on this point. Meantime, I have penned these few sentences to assist you in deciding what course you should follow as regards your future plans.

Believe me, &c.
Henry R. Madden.

— No. 34. —

No. 34.
Sir F. Rogers, Bart., to Sir C. Darling, K.C.B.
3 November 1866.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 3 November 1866.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 24th ultimo,* forwarding a letter from your medical attendant, and preferring an application for a retiring allowance at the rate of 1,000 *l.* per annum.

*Page 87.

Lord Carnarvon desires me to state that, on referring to the Act of Parliament authorising the payment of retiring pensions to Colonial Governors, you will perceive that a Colonial Governor being under 60 years of age cannot receive a pension unless he can show that he is "incapable from infirmity of mind or body contracted while administering his government, of discharging the duties of any office in the public service, and that such infirmity is likely to be permanent," which Lord Carnarvon assumes not to be your case.

His Lordship further desires me to inform you that, under any circumstances it would not be possible for him to entertain an application for a pension until the question of the proposed grant by the Parliament of Victoria shall have been finally disposed of.

I am, &c.
(signed) *Frederic Rogers.*

— No. 35. —

No. 35.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
30 October 1866.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

7, Lansdown-place, Cheltenham,
30 October 1866.
(Answered, 11 December 1866, page 91.)

My Lord,

I HAVE the honour to acknowledge Sir Frederic Rogers' letter of the 25th instant,* informing me of the grounds upon which your Lordship feels unable to comply with my request that I might be permitted to draw the half salary of the office of Governor of Victoria from the day on which I left the Colony, in compliance with the expressed wish of your immediate predecessor, up to the date at which my commission was legally superseded.

*Page 73.

I acknowledge with gratitude the considerate language in which your Lordship's decision is conveyed to me; but as I gave to both the grounds upon which that decision is based my fullest consideration before I submitted my application, I must beg respectfully to say that I am unable to regard it as satisfying the justice, much less the equity of the case.

The position of a Governor finally quitting his government at the expiration of his ordinary tenure of six years, or because with his own concurrence he is removed to another Colony, or retires at his own request, can form, I would beg to observe, no precedent for that of a Governor prematurely removed, not for any errors actually committed, but because it was supposed he would commit errors which it was satisfactorily shown he did not commit; and taking his departure not in obedience to a legal command, but merely to an expressed wish of the Minister for the time being. I need scarcely point out that the

Queen's Commission renders instructions through the Secretary of State, legally binding only for the execution of things belonging to the Governor's command, and according to the law of the Colony, and not for the vacation of the command itself—an object which can only be legally effected by an instrument of the same force as that which conferred the command.

As supporting this view, I refer to the two most prominent cases of recalled Governors, which have occurred since the six years' rule was established by Mr. Huskisson's Despatch (I think in 1830 or 1831), viz.: that of Sir Lionel Smith, recalled from Jamaica in 1839, and that of Sir Harry Smith, recalled from the Cape of Good Hope in 1851. In the first case I was secretary to the recalled Governor, in the second I was a lieutenant to the Governor who replaced the recalled Governor, and in both cases the recalled Governor remained until his commission was legally superseded. But it suited one of the objects your Lordship's predecessor had in view in depriving me of my government, to send to a distance for my successor. He must have known from the information in his possession, that there was great probability that if sufficient time were allowed, I should bring the political difficulties out of which the plea for my recall has evolved, to a satisfactory termination before my successor could arrive; an object which I succeeded in accomplishing, notwithstanding the arrangement by which I was ousted of my government, with the least possible delay. This end was effected by the expression of the Secretary of State's "wish;" for I do not believe that Her Majesty would have given Her sanction to the communication of a Royal Command so harsh, so degrading to an old and approved public servant, so uncalled for by the actual circumstances of the case, and therefore so revolting to the judgment of the great body of Her Majesty's subjects in the Colony, in order to effect a purpose which, as your Lordship truly observes, was the obvious intention of Mr. Cardwell's Despatch.

When I remember how strictly your Lordship's predecessor enforced as against me his own interpretation of the laws of Victoria, opposed as that interpretation is to all precedent, and to the opinion of the only law advisers to whom I could refer, I may be pardoned for asking that I should be allowed the full benefit of a point of law respecting which, I apprehend, there can be no doubt whatever; and that I should be regarded as not having finally quitted my government in a legal point of view when I left it in May last, in obedience merely to Mr. Cardwell's "wish."

With respect to the legal right of the officer administering the government of Victoria to the whole salary, I am quite aware that in common with the Governors of every Colony in which the law, under whatever form of language, declares in effect that the Governor shall be deemed to be the administrator present in the Colony, that right cannot in strictness be questioned. On the other hand, when the laws make no such provision, the whole salary is legally due to the person who holds the Queen's Commission as Governor, whether present in or absent from the Colony.

I have always believed that the regulations respecting half salary were rendered applicable, only by regarding the Governor's salary as voted to the Crown for the maintenance of the office, and thus making it subject to the regulations which Her Majesty may be pleased to enforce upon Her representatives.

Your Lordship will allow me further to observe, that the grounds alleged in Sir Frederic Rogers' letter for refusing my request, involve an inconsistency of principle. In support of the first ground, the practice is referred to as depriving of all force the question of when the Government of Victoria was legally vacated by me; while in regard to the second ground, the special law is adduced as necessarily overruling the general practice, and that, too, as it would appear, in this instance only; for when my predecessor, Sir Henry Barkly, applied for leave of absence, no doubt was expressed, either at home or in the Colony, as to his right to half salary during absence.

If the real difficulty is that the whole salary has been drawn by General Carey, there can, I think, be no doubt that the Government and Legislature of Victoria will readily recognize the equity of my claim, and deal with it in the same manner as I am persuaded they will be prepared to deal with a similar one for the sum referred to in previous letters, and to which I was legally entitled

entitled under the Constitution Act and Schedule; the strict provisions of which are relied upon in penultimate paragraph of Sir Frederic Rogers' letter, as negativing my present claim to half salary.

I have, &c.
(signed) *C. H. Darling.*

— No. 36. —

No. 36.
Sir F. Rogers, Bart., to Sir C. Darling, K.C.B.
11 December 1866.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 11 December 1866.

I AM directed by the Earl of Carnarvon to acquaint you that his Lordship has not overlooked, though he observes, on a reference to the past correspondence, that he has not yet acknowledged, your letter of the 30th of October last,* in which you assign your reasons for doubting the correctness of the conclusion arrived at by his Lordship on your claim to receive half salary as Governor of Victoria from the day upon which you left the Colony until the day on which your successor's commission was proclaimed in the Colony.

* Page 89.

Lord Carnarvon regrets that you do not agree in the grounds of his decision, but cannot undertake to continue the discussion.

I am, &c.
(signed) *Frederic Rogers.*

— No. 37. —

No. 37.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
31 October 1866.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

7, Lansdown-place, Cheltenham,
31 October 1866.
(Answered, 6 November 1866, page 92.)

My Lord,

I HAVE the honour to acknowledge the receipt of Sir Frederic Rogers' letter of yesterday's date,† and I hasten to assure your Lordship that in my previous correspondence I have had no intention of implying that your Lordship admits the injustice of my recall, or my consequent right to compensation.

† Above.

Your Lordship has, on the contrary, distinctly declined to inquire into the justice of my recall, and therefore, of course, of my claim to compensation consequent thereon, or to advise the appointment of a tribunal, of "whatever kind," for that purpose.

I confess, however, that I did interpret the concluding paragraph of Mr. Elliot's letter of the 12th September,‡ adverting as it does to my long services, to my general qualifications, and to my private interests, as referring to an appointment corresponding in its nature and dignity to that which I have recently vacated; but in my letters of the 15th and 17th inst.§ I alluded to the recognition of my eligibility for re-appointment, which I believed that paragraph to convey, or (adopting the form of language employed in the letter which I have now the honour of acknowledging) I should rather perhaps say, to the fact that I am not considered disqualified for office under the Crown, merely as showing that, such being the case, it is impossible that any part of my conduct as Governor of Victoria could have been, or could be, thought open to the suspicion that I had, in adopting it, been influenced by the expectation of a beneficial donation from the colonists, or any portion of them.

‡ Page 55.

§ Pages 83 and 85.

I have, &c.
(signed) *C. H. Darling.*

— No. 38. —

No. 38.
Sir F. Rogers, Bart., to Sir C. Darling, K.C.B.
6 November 1866.
*Page 91.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 6 November 1866.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 31st ultimo,* and to assure you that his Lordship never entertained the supposition that your conduct, when administering the Government of Victoria, had been influenced by the expectation of a beneficial donation from the colonists, or any portion of them.

I am, &c.
(signed) *Frederic Rogers.*

— No. 39. —

No. 39.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
4 November 1866.

* Page 85.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

7, Lansdown-place, Cheltenham, 4 November 1866.

My Lord, (Answered, 29 November 1866, page 95.)

I HAVE the honour to acknowledge the receipt of Sir Frederic Rogers' letter of yesterday's date,* and to observe, in reply, that I cannot conceive it to be the intention of the Act of Parliament 28th & 29th Victoria, cap. 13, that the grant of a pension to a Colonial Governor, under the 4th section of that Act, should be made to depend upon any other condition than that which is prescribed by the section itself; the amount of pension being also liable to the operation of the 7th clause of the Act.

I am further persuaded that when Parliament committed to the Secretary of State the power to declare himself satisfied that the conditions of the 4th clause were fulfilled, it was assumed that that power would be exercised with the single object of ascertaining whether such infirmity of mind or body as the Act contemplates, exists in the applicant for pension.

I receive, therefore, with a surprise which I am unable to express, the intimation that there can be any sort of connection between my claim for a pension and the grant which the Assembly of Victoria have made to Lady Darling; and in so far as any legal claim I may possess to that pension is concerned, I beg it may be understood that I protest (albeit, with due deference) against the view which your Lordship is pleased to take of the meaning of the Act upon this point.

When in a former communication I was apprised that if Lady Darling accepted the grant, my connection with the Colonial Service must cease, I could not possibly suppose that it was intended to put before me merely the option, on the one hand, of receiving an annuity of 1,000 *l.*, to commence in the year 1869, when I should have attained the age of 60, or, on the other hand, a present payment of 20,000 *l.* There could be little doubt of what the decision in that case would be. The question of pension to arise in 1869 would necessarily, I conceived, be considered by the Secretary of State at that time, and not at the present moment. I concluded, therefore, that "connection with the Colonial Service" meant, in fact, eligibility for appointment to another government.

I have now to state to your Lordship that I believe my application to fall fully and fairly within the meaning of the Act of Parliament.

There is no doubt that the constitutional malady to which I am subject has incapacitated me frequently, and for many days together, for the efficient discharge of "any office in the public service," and that it is not merely "likely to be permanent," but certain to afflict me, more or less, for the rest of my life.

Besides, I venture to offer the opinion that by the term "any office" was not meant an office which it would be a degradation to the applicant for pension to accept; but that the true intent and meaning of the term is to be gathered from the context of the Act, and especially from its 9th clause.

I find, upon referring to a diary, that since I left Jamaica, in March 1862, I have experienced 20 attacks of rheumatic gout, and that I have been confined to my room by these attacks about 120 days, during the greater part of which time I was unable to leave my bed. I was, as a consequence, incapable of anything

anything like active exertion for many days, sometimes weeks, after the more severe of these attacks.

It is perfectly true that during that time the public service and business have not, I trust, materially suffered from this cause, but that it has not done so has resulted from the fact that I have frequently applied myself to the performance of my duty when undergoing great bodily suffering, and thus entailing upon myself, as a consequence, a protracted visitation, or a rapid return of the malady. I opened Parliament on one occasion when I was undergoing absolute agony.

To endure pain, suffering, or inconvenience in the discharge of an office which has once been undertaken, is, I am aware, the simple duty of a public servant; but I am much mistaken if it was not the intention of the Governors' Pensions Act to afford relief from the necessity of continuing in the discharge of duty under such circumstances to those whose services had already extended over many years.

It was only a few days before I made my application, when accidentally coming upon the Act amongst other papers, that I became aware that it contained any such provision.

In the scheme which, together with two other Governors of Her Majesty's Colonies, I had the honour of submitting to the late Duke of Newcastle in the year 1863, there was no reference, I think, to incapacity from illness; and when the Act was passed, I paid no attention to its details, being satisfied that my own claim for service alone would be complete at the expiration of my ordinary tenure of the Government of Victoria.

I assure your Lordship of my conviction that there is no first class Government, that is a Government with a salary attached of not less than 5,000 *l.* a year, in which I could discharge the duties of the office of Governor, with even the physical efficiency which I possessed in Victoria, except that of New South Wales, and it was a consideration of this fact, by the light of the opinion which I obtained from my most recent medical attendant, that led me to determine upon submitting to you my application for a pension, which I now beg leave, with this explanation, again to bring officially under your Lordship's consideration.

With regard to the final disposal of the "question of the proposed grant by the Parliament of Victoria," to which reference is made in the concluding paragraph of Sir Frederic Rogers' letter, I have the honour to inform your Lordship, that only two days ago I became aware, by the perusal of a Victorian newspaper, that a decision had been pronounced by the Lords of the Privy Council, so far back as the 16th June last, in the matter of the Customs Duties, and that a report of the proceedings had been published.

As your Lordship has declined to enter into the question of the justice of my recall, or to advise the Crown that any tribunal should be appointed to investigate my conduct in so far as it furnished an alleged ground for that unjust proceeding, it would be useless for me to trouble you with any lengthened remarks. I will only therefore record, as necessary to the full understanding of what I am about to state, that the decision in question shows incontestably that I should have committed myself to a most improper and unconstitutional act if I had done that which Mr. Cardwell maintains that I should have done, and for not doing which he has repeatedly in his despatches condemned me in strong terms, and affirmed that I had not only given just grounds for the complaint made to Her Majesty, but also for that personal antagonism on the part of the complainants, which, as he alleged, had rendered it impossible that I could continue to conduct advantageously the government of the Colony.

The Lords Justices directed in effect that the Executive Government were entitled to the appeal from the judgment of the Supreme Court, and that it was justified in retaining the money levied by way of duties, until the appeal was decided.

Soon after I arrived in England, I asked the favour of being permitted a perusal of the opinions which the Crown Law Officers of the late Government had given on the questions which led to my recall, Mr. Cardwell having stated that he had obtained their assistance.

This request was declined, and I now perceive, to my great surprise, that the Attorney General of the Government, of which Mr. Cardwell was a Member, appeared before the Privy Council on behalf of the Government of

Victoria, and contended that, in giving judgment on the demurrer raised against the plea of privilege claimed for the Assembly, the Court had by that judgment undertaken to determine a very "grave constitutional question," and that from that judgment there lay an appeal which he successfully moved the Lords Justices to grant.

I consider this decision to have effected everything which the investigation I have sought for could accomplish, upon one at least of the two points upon which my conduct was condemned. It establishes clearly that I have sustained a great wrong by my recall from the Government, and removes the shadow of a suspicion, if one ever did exist, that I could have been influenced by the expectation of a beneficial donation in determining not to interfere with the collection of the duties.

If it were possible to bring the circumstances connected with the loans for maintaining the public credit before the same tribunal, I am satisfied that a complete exoneration of me from blame on that point also would be the result; and I believe that it is open to your Lordship to set on foot for that purpose some such proceeding as that which took place before the Privy Council in 1847, in the case of Judge Reddie, who was removed from office by Earl Grey.

At any rate your Lordship's determination on the one hand, not to afford me an opportunity of showing that I have sustained such wrong, while on the other hand you intimate that a heavy penalty will be imposed upon me, if compensation for that wrong be accepted from the only quarter in which there is any probability that compensation of that nature will be provided, and by the only mode in which it is in human power to afford effectual compensation at all, places me in the somewhat unusual position of a public servant of the Government of England, to whom justice is absolutely denied,

I cannot believe that if your Lordship will take cognizance of the proceedings before the Privy Council to which I have referred, you can possibly continue to sustain Mr. Cardwell's decision, or refrain from acknowledging that my case is altogether out of the category of those to which the standing regulations of the Colonial Service apply.

As Lady Darling's decision with respect to the grant cannot be arrived at until all reasonable attempts to obtain justice which are within the reach of my resources have been exhausted, I would beg leave strongly to press upon your Lordship's consideration that the decision of the Judicial Committee of the Privy Council imports a new element into my case, and justifies me in again appealing to your Lordship for a review of it as the Minister of the Crown specially charged with the conduct of Colonial affairs.

Your Lordship is probably aware that the case of my recall has been already under the notice of the House of Commons. Mr. Cardwell, in justifying that measure, abstained from acquainting the House with the nature and force of explanations from me of which he was at that time in possession, and so little were the true circumstances of the case understood, that your Lordship's Under-Secretary (if the substance of his remarks was correctly reported in the "Times" newspaper) appeared to have received the impression that I have acted in opposition to the advice of my Executive Council.

I cannot doubt that when the attention of the House is again solicited to the subject, I shall find it ready to receive whatever I may have to advance in justification of my own conduct, and that the decision of the Privy Council will be regarded as a feature of no inconsiderable importance in the case.

I beg, in conclusion, to refer to the early part of this letter, and to observe that under the 7th clause of the Governors' Pensions Act, the wife and children of a pensioned Governor might all hold offices of emolument without subjecting his pension to the deduction which the receipt of such emoluments by himself would entail; and I submit that this is in itself an abundant proof that to connect the question of my pension with any other condition as to pecuniary receipts than those which the Act itself distinctly defines, would be contrary to the spirit and intention of that enactment.

I have, &c.
(signed) *C. H. Darling.*

— No. 40. —

No. 40.
T. F. Elliott, Esq., to Sir C. Darling, K.C.B.
29 Nov. 1866.

Copy of a LETTER from *T. Frederick Elliot*, Esq., to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 29 November 1866.

I am directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 4th instant,* in further reference to your application that a retiring allowance may be at once granted to you on the ground of ill health.

*Page 92.

There is doubtless room for controversy as to the expediency or inexpediency on public grounds of requiring that a Governor should not receive a pension unless he is of the age of 60, or is disabled from discharging the duties of any office under Government. But with the terms of the Act before him, Lord Carnarvon feels that he has no option as to the course to be pursued.

You proceed to contend that a gift to Lady Darling ought not to disable you from receiving a pension. On that point Lord Carnarvon can only refer you to Mr. Adderley's letter of the 12th October and Sir F. Rogers' of the 6th instant.†

†Pages 64 & 92.

It is impossible for the Secretary of State to treat the acceptance by the wife of a Governor of a gift from the Colony over which that Governor has presided, otherwise than as an acceptance by the Governor himself. Such acceptance therefore, as has been already explained to you, is substantially inconsistent with the rules of the service, and it must be clear that those who, for whatever reason, act in contravention of those rules, cannot claim to benefit by them.

Emoluments, by way of pensions to Governors, can only be claimed upon the understanding that those who claim them abstain from the acceptance of emoluments which are prohibited by the rules of the service.

Lastly, you again request Lord Carnarvon to reopen the question of the justice of your recall from the Government of Victoria, in especial reference to a recent decision of the Judicial Committee of the Privy Council. In answer, I am desired by Lord Carnarvon to say, that as far as he is able to judge, this decision does not warrant the very large conclusions which you deduce from it, and that his Lordship must adhere to the conclusion at which he had previously arrived on this subject.

I am, &c.
(signed) *T. Frederick Elliot.*

— No. 41. —

No. 41.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
22 Nov. 1866.

Copy of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

7, Lansdown-place, Cheltenham,
22 November 1866.

My Lord, (Answered, 8 January 1867, page 96.)

You will permit me, I hope, to plead the heavy pressure of circumstances as a sufficient reason for again addressing you with reference to my present position in connection with the Colonial Service.

I am aware that if the letter of the 4th clause of the Governors' Pensions Act be strictly adhered to, the Secretary of State might find it difficult to grant me the pension I have solicited on account of physical infirmity.

If my claim to pension on this ground be not admitted, I am liable under the 9th clause of the Act to be left without employment until the beginning of the month of February 1869, in the course of which month I shall have attained the age of 60; then to be required to accept and to remain in employment, under the obligation to discharge my duties satisfactorily, or forfeit all pension, until I should have attained the age of 65, in February 1874.

For reasons I have already submitted, but mainly on account of the uncertainty of my health, I am persuaded that I should in future run a great risk of being unable to discharge the duties of a Colonial Governor satisfactorily, how-

ever much I might apply myself to them, with such physical and mental ability as I might possess.

I find myself at this moment removed from the Colonial Service, and without any income, not (as your Lordship's predecessor informed the House of Commons) on account of any errors I was supposed to have committed in circumstances which he admitted to be difficult, but because the language and sentiments of a despatch which I addressed to him indicated, as he conceived, an intended course of conduct which rendered it in his opinion impossible that I could continue to conduct with advantage the Government of the Colony of Victoria.

This course of conduct, it is true, was not pursued, but I am nevertheless deprived of the Government.

Although your Lordship has declined to enter into the merits of the question of my recall, you have been pleased to give me assurances which satisfy me that my personal reputation founded upon previous services, remains in your opinion unimpaired.

In order to compensate my family in some degree for the pecuniary loss my recall under these circumstances has occasioned, the Legislative Assembly of Victoria have voted a sum of money to Lady Darling; but your Lordship, with reference to certain standing regulations of the Colonial Service, is of opinion that if Lady Darling accepts that grant I cannot consistently retain my connection with the Colonial Service.

If I had felt that I could retain that connection, in active employment, with advantage either to the public or to my own reputation, I should have been most reluctant thus to have terminated my long career in the service of the Crown.

As it is, I may truly say, "my poverty, but not my will consents;" and in submitting to your Lordship's decision that I cannot retain my connection with the service, I have only to express my hope that your Lordship may feel at liberty to make such a communication to the Legislative Assembly of Victoria in reply to their address, as may relieve the position I am now placed in of its most painful features, and be therefore in harmony with the spirit of personal kindness and consideration which has characterised all the sentiments your Lordship has expressed in reference to this most distressing subject.

I have, &c.
(signed) *C. H. Darling.*

— No. 42. —

No. 42.
Right Hon. C. B. Adderley, M.P., to Sir C. Darling, K.C.B.
8 January 1867.

COPY of a LETTER from the Right Honourable *C. B. Adderley*, M.P., to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 8 January 1867.

WITH reference to your letter of the 22nd November,* I am directed to transmit to you, for your information, a copy of the Despatch addressed by Lord Carnarvon to the Governor of Victoria on the Address to the Queen from the Assembly of Victoria, praying that Her Majesty would sanction the acceptance by Lady Darling of a grant of 20,000 *l.*, recommended by a Select Committee to be made to her.

*Page 95.

No. 47. 8 December 1866. Page 37.

I have, &c.
(signed) *C. B. Adderley.*

— No. 43. —

Copy of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

No. 43.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon
3 December 1866

7, Lansdown-place, Cheltenham,
3 December 1866.

My Lord, (Answered, 14 December 1866, page 98.)

I HAVE the honour to acknowledge the receipt of Mr. Elliot's letter of the 29th* ultimo, acquainting me with your Lordship's final decision, that I am not entitled to a retiring pension under the terms of the concluding provision of the 4th section of the Governors' Pension Act.

* Page 95.

In regard to the other points adverted to in Mr. Elliot's letter, I would beg to state that I took the liberty of urging, in my letter of the 4th† November, that public emoluments received by the wife were not identical with public emoluments received by the husband, with special reference to the 7th clause of the Act. I conceived, for example, that if the wife of a retired governor should be in the receipt of emoluments from the public revenue of Great Britain, as a member of Her Majesty's court or household, the husband's pension would not be liable to the deductions prescribed by the "terms" of the 7th section of the Act; and, therefore, I thought that the pension ought to remain equally unaffected, if the wife should be in the receipt of emoluments derived from the public revenue of the Colony of Victoria.

† Page 92.

I have believed also that if the Act of Parliament gave any legal claim to pension, subject to conditions which are specified therein, the rules of the Colonial service would not be made practically to impose other and further conditions.

It was not I thought by the rules of the service that I should claim to benefit, even if my right to pension were complete and recognised, but rather by the provisions of an Act of Parliament passed in the interest of governors, and which seemed to me, with the knowledge I possess of circumstances connected with the concluding provision of its 12th section, not to be framed in accordance with the spirit of the rule more particularly referred to.

I was, moreover, under the impression that the 9th clause fixes the only case in which a claim to pension may be declared forfeited, all other grounds of forfeiture being excluded by the fact that the governor had been suffered to continue in office for the prescribed period. But whatever be my own views upon this and other points in connection with my present position, the last thing which I desire to do is to take any step which may appear to be opposed to the opinions entertained by Her Majesty's Government, and nothing but an absolute necessity, such as I have described in my letter of the 22nd‡ ultimo, would induce me to adopt a course liable to that imputation.

‡ Page 95.

It occurs to me that there is one mode by which that necessity may, perhaps, be averted. I have understood that the Government of New South Wales is likely to be vacant early in the ensuing year.

If this be so, the period at which a successor to the present governor will be nominated must be at hand.

By Sir Frederic Rogers' letter of the 30th† October, your Lordship was so good as to assure me that you would be prepared, when the occasion should arise, to "take into fair consideration all my claims to re-appointment, from whatever cause arising."

† Page 86.

My claim, arising from approved services in the performance of duties, some of them of a special character, up to the period of my appointment to the Government of Victoria, have been lately brought under your Lordship's notice. You have been pleased to say, that you regret the severe pecuniary loss I have sustained by my premature removal from that Government.

If, then, upon consideration of my claims, your Lordship should think fit to entrust me with the duties of the office of Governor of New South Wales, I believe, as I have indeed already stated, that I should be able to bring to their discharge the same degree of mental and bodily efficiency as I possessed in Victoria; although I should still remain altogether uncompensated for the pecuniary loss occasioned by my recall.

I have, &c.
(signed) *C. H. Darling.*

— No. 44. —

No. 44.
Right Hon. C. B. Adderley, M.P., to Sir C. Darling, K.C.B.
14 Dec. 1866.
* Page 97.

COPY of a LETTER from the Right Honourable *C. B. Adderley*, M.P., to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 14 December 1866.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 3rd inst.,* in which you propose that you should be appointed to the Government of New South Wales. I am, in answer, to say, that Lord C. cannot hold out hopes of a particular appointment which is not now vacant, and will not be vacant for some time to come.

I have, &c.
(signed) *C. B. Adderley.*

— No. 45. —

No. 45.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
12 Dec. 1866.
† Page 91.
‡ Page 89.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

7, Lansdown-place, Cheltenham,
My Lord, 12 December 1866.

I DO myself the honour to acknowledge the receipt of Sir Frederic Rogers' letter of yesterday's date,† informing me, with reference to my letter to your Lordship of the 30th October last,‡ urging reasons which appeared to me to justify my claim to receive half the salary of the Governor of Victoria from the date on which I left that Colony, in compliance with Mr. Secretary Cardwell's expressed wish to that effect, up to the date upon which I legally ceased to be its Governor, that your Lordship cannot undertake to continue the discussion.

I am, &c.
(signed) *C. H. Darling.*

— No. 46. —

No. 46.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
12 Dec. 1866.
‖ Page 55.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

7, Lansdown-place, Cheltenham,
12 December 1866.
My Lord, (Acknowledged, 26 December 1866, page 99.)

I AM desirous, with your permission, to correct an erroneous statement contained in the letter which I had the honour to address to your Lordship upon the 11th September last.‖

In the paragraph commencing with the words, "In Mr. Cardwell's Despatch, No. 32,‡ of the 26th March 1866, it is explained," I have stated that the Tariff Resolutions were introduced upon the 15th February. I ought to have stated that the Bill embodying the Resolutions was introduced on that day; that the Resolutions had been introduced on the 19th January preceding, and that the provisional levy of the new duties commenced on the following day.

In my confidential letter of the 25th January 1865§, I informed Mr. Cardwell that the Tariff had been introduced into the Assembly, and expressed my belief that it would undergo considerable modification. In my confidential letter of the 23rd February, I stated that the "Revised Tariff" had passed the Assembly; and it was not until the 25th March that I reported that the Ministers in the Assembly had, since the departure of the last packet, announced their "present intention" to "embody the new tariff which has recently passed that House in the principal Appropriation Act of the Session, with a view of deterring the Council from rejecting the Tariff, which there is much reason to believe will meet with but little favour in that branch of the Legislature."

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‡ *Vide* Paper presented 23 March 1866, page 8.
§ *Vide* Papers presented March 1866, page 2.

Mr.

Mr. Cardwell has, in his Despatch, No. 32,* of the 26th March 1866, quoted my confidential letter of the 25th March, as proving that when the duties were put into operation there was not the "usual expectation" that the Council would concur in them, although the terms of that letter distinctly show that the apprehension that the Council would receive the Tariff embodying those duties with "but little favour," had arisen since the departure of the packet of February; and he wholly ignores my confidential letters by the January and February mails, and the statement contained in the 13th paragraph of my Despatch, No. 152,† of the 23rd December 1865.

I was also in error in stating that it was upon the occasion of the introduction of the Tariff in 1865 that Mr. Verdon, the Treasurer, "asked that no opposition shall be offered to the Bill being sent to the Legislative Council with the least possible delay." It was on the re-introduction of the Tariff in 1866 that the language referred to was used, as will more fully appear by a reference to my Despatch, No. 23,‡ of the 2nd March last, and its enclosures.

I have, &c.
(signed) *C. H. Darling.*

— No. 47. —

No. 47.
Sir F. Rogers, Bart., to Sir C. Darling, K.C.B.
26 Dec. 1866.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 26 December 1866.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 12th December.§

§ Page 98.

I am, &c.
(signed) *Frederic Rogers.*

— No. 48. —

No. 48.
Sir C. Darling, K.C.B., to the Right Hon. the Earl of Carnarvon.
11 January 1867.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

7, Lansdown-place, Cheltenham,
11 January 1867.

My Lord, (Answered, 1 February 1867, page 100.)

I HAVE the honour to prefer my respectful request that I may be furnished with a copy of the Secretary of State's reply to a Despatch which, while Governor of Jamaica, I addressed to the late Duke of Newcastle, on the 6th October 1859 (Turks Islands, No. 32), relative to a difficulty which had occurred in these islands in obtaining the usual Appropriation Ordinance for the year 1860; and also with a copy of a Despatch addressed by me, when Lieutenant Governor of St. Lucia, to Governor Sir William Colebrooke, and by him transmitted to the Secretary of State in his Despatch, No. 17, of the 26th February 1851, reporting the steps which I had taken under circumstances of emergency, with a view to the maintenance of the public credit in that Colony.

The Secretary of State's reply in the Turk's Islands case was, no doubt, communicated to the Legislative Council of the Colony, and therefore made public; and the Secretary of State's answer to Sir William Colebrooke's Despatch was published in the official gazette of St. Lucia.

I am extremely sorry to occasion any trouble to the Colonial Department, but I consider the documents referred to to be important, as tending to vindicate the consistency of my public conduct under administrative difficulties during my career as a Colonial Governor; and I venture therefore to hope that the course I am pursuing, in asking to be furnished with them, will stand excused in your Lordship's opinion.

I have, &c.
(signed) *C. H. Darling.*

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* *Vide* Paper presented 23 March 1866, page 8.
† *Vide* Papers presented March 1866, page 77.
‡ *Vide* Papers presented 28 May 1866, page 28.

— No. 49. —

No. 49.
Sir F. Rogers, Bart., to Sir C. Darling, K.C.B.
1 February 1867.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 1 February 1867.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 11th* January; and, in compliance with your request I am desired to enclose copies of the Duke of Newcastle's Despatch of 16th December 1859, in reply to your Despatch of 6th October of that year, and of your Despatch to Governor Sir William Colebrooke, of 20th January 1851, forwarded in his Despatch, No. 17, 26th February 1851.

* Page 99.

I have, &c.
(signed) *Frederic Rogers.*

Enclosure 1, in No. 49.

The Duke of *Newcastle* to Governor Sir *C. Darling.*

(Turks Islands, No. 10.)

Encl. 1, in No. 49.
No. 24. 26 July 1859.
No. 31. 6 October 1859.
No. 32. 6 October 1859.

Sir, Downing-street, 16 December 1859.

I HAVE received your Despatches of the numbers and dates noted in the magin, reporting the circumstances under which the Legislative business of the presidency of the Turks Islands had been suspended, and transmitting an Ordinance passed by the Legislature of those islands, intituled, "An Ordinance to preserve Order during the Sittings of the Legislative Council of the said Islands."

2. The question of enacting the said Ordinance was raised, as I gather from the correspondence transmitted in your Despatch, in the following manner:—At a meeting of the Council Mr. Gibbs attempted to read a paper, of which the first few lines stigmatised the conduct of the Judge and Queen's Advocate, in regard to a particular case, as "atrocious and iniquitous." Being called to order by the President, he replied that he was not out of order; and, as he proceeded to read his paper, Mr. Inglis adjourned the Council.

3. In communicating this step, Mr. Inglis urged upon you three proposals made by the Executive Council: (1) that he should be authorised to pass an Ordinance comprising the provisions which the Secretary of State had reluctantly sanctioned; (2) that he should be authorised to dissolve the Council if any Member of the Legislature should attempt, during the passing of such Ordinance, to set at defiance the authority of the President, and (as the constituency was likely to re-elect the same persons), (3) that the qualifications of electors should be raised by Royal authority.

4. I approve of your having declined to sanction the dissolution of the Council, which indeed appears an ill-judged mode of meeting the disorderly conduct of an individual member.

5. As to an alteration in the franchise, which in your Despatch you appear to deprecate, I have to observe that the present franchise is prescribed by "The Bahamas Act," 11 Vict. cap. 1, s. 4; and that the power given to Her Majesty, and exercisable by Order in Council under section 5 of that Act, does not extend to an alteration of the franchise, but only to the regulation of details. Such an alteration could, therefore, only be effected by Ordinance passed by the Council, and I suppose (in the present temper of the population) by the votes of the official members and casting vote of the President.

6. While I do not consider that Mr. Gibbs' misconduct, and the favour with which the population are said to regard him, would justify such an extreme cost, I cannot understand why the object of elevating the character of the constituency might not be as well answered by enforcing the existing qualifications of reading and writing, which Mr. Inglis states would materially reduce the voting list. The Act No. 1, of 1858, sections 1 and 5, enables any person to object to the registration of any voter who cannot read readily and write legibly a sentence from some Colonial Ordinance.

7. With regard to the remaining point, you stated that "you had no hesitation in authorising the passing of the proposed Ordinance either with or without the concurrence of all or any of the elective members." The Ordinance was accordingly passed by the votes of the official members and the casting vote of the President. The elective members signified their objection to the law and the mode of passing it, by resigning their seats.

8. Owing,

8. Owing, however, to an omission to register voters in October 1858, the whole population are virtually disfranchised till the registration of October 1859 is concluded, *i. e.* till January next, and the vacant places cannot, therefore, be filled up.

9. I approve of your recommendation that the official members (who constitute a quorum) should pass such laws as were positively necessary for carrying on the administration of the islands, but no more, till the vacant places can be filled up. An Ordinance might indeed have been passed at once to enable voters, registered in October 1858, to vote at once at the coming election. But it was probably wiser for the Government to avail itself of the excuse which circumstances afforded for deferring the elections till the excitement of the moment should have somewhat passed away.

10. With regard to the confirmation of the Ordinance, I have to state that looking to the serious evil which the disallowance of the Ordinance would now be productive of and also to the difficulty which there would appear to be, to suggest any measure which would be materially better, as well as to the necessity which has probably arisen for the passing of some stringent enactment, I have submitted the Ordinance to Her Majesty, and I have now to convey to you Her Majesty's confirmation and allowance of the Ordinance, No. 1, of 1859, entitled, "An Ordinance to preserve order during the sittings of the Legislative Council of the said islands."

11. It will be well to caution Mr. Inglis that he will be expected to be very forbearing in the application of the rules, and to warn him that he will not be supported in those extreme measures which he seems disposed to press upon my consideration.

I have, &c.
(signed) *Newcastle.*

Governor Sir C. Darling,
&c. &c.

Enclosure 2, in No. 49.

(No. 18.)

Lieutenant Governor *Darling* to Sir *W. M. G. Colebrooke.*

St. Lucia, Government House,
20 January 1851.

Encl. 2, in No. 49.

Sir,

I HAVE the honour to transmit herewith the transcript of an Ordinance, which passed the Legislative Council at its meeting on the 16th instant, entitled, "An Ordinance to empower the Lieutenant Governor to borrow, from time to time, a sum of money, not exceeding in the whole the sum of 1,700 *l.* sterling, to meet the exigencies of the Public Service, and to relieve the immediate liabilities of the Treasury, and to provide Funds for the payment of the Passage Money of African Immigrants," accompanied by the Attorney General's Report thereon, and to request your Excellency's authority to assent to the same.

2. The object of this Ordinance is to authorise the Lieutenant Governor to raise a loan for the liquidation of the Public Debt at the close of the year 1850, and to provide for the payment of the passage of any African immigrants who may be sent to the Colony during the present year, on condition that such payment should be made out of Colonial funds. It provides also for levying a duty on exports, for the purpose of meeting the same. The circumstances, however, under which this Ordinance was passed, are of so unusual a character, as to require that they should be brought in detail under your Excellency's consideration.

3. In a Minute which I placed upon the Records of the Council, on the 20th ultimo, copy of which was transmitted with my Despatch, No. 6, of the 3rd January last, I stated my intention to convene the Board at the earliest possible opportunity after the close of last year, when I would propose to them "to renew the power given to the Lieutenant Governor by the Ordinance, No. 17, of 1849, to contract a loan, and to provide for the same by a duty upon exports, or by any other mode which may appear more eligible to the Board." In the summons issued to the members to assemble on the 15th instant, they were individually informed that the measure thus referred to was one which would be proposed for their consideration.

4. At the meeting of the Board on that day, six unofficial members attended, but four official members only were present, the Attorney General having been absent in consequence of indisposition. The draft of the enclosed Ordinance was introduced, prefaced by the Minute of which I enclose a copy, and read a first time. Upon the motion that it be read a second time that day, an amendment was moved, and seconded by two unofficial members, to the effect that it should be printed. A short debate ensued, in the course of which both the Colonial Secretary and the Solicitor General pointed out that the Bill, although not printed as a whole, was actually on the Table at that moment, inasmuch as its loan clauses were precisely those of the Ordinance, No. 17, of 1849; and the Export Duties clauses, the same as had been introduced into every Tax Ordinance, by which an export duty had been levied for many years past. This led to a distinct avowal from the Honourable Mr. Goodman, who, throughout the whole proceeding took the lead, and became the acknowledged organ of all the unofficial members present, except Mr. Aubert, that whether the Bill was printed or not, it was his intention to vote against it; and it was urged

urged in support of this determination, that there was no necessity for laying an export duty, inasmuch as there was every reason to conclude that the revenue of the present year would be ample, not only to meet the charges against it, but to defray the amount of the debt of 1850. I pointed out, in reply, that besides the reasons already stated in my Minute, there was the fact, that the revenue of this year, raised under the Tax Ordinance, was not applicable to the debt of the past year; and that the items of that debt were all of such a nature as to render it a case of great injustice to the public creditors not to discharge it with all possible expedition. I added that even if the Bill were ordered to be printed, I could not, considering the urgency of the questions I had brought before the Council, consent to the adjournment of that body, otherwise than *de die in diem* until those questions had been regularly disposed of. This occasioned an immediate declaration that such a course would not answer the purpose of the opposition members; and it became apparent that delay was, in fact, their sole object.

5. Upon the amendment being put, five unofficial members voted for it; one unofficial, and the four official members present, voted against it; and it became my duty, the Attorney General being absent, to give a casting vote, which, under the foregoing circumstances, I recorded against the amendment. The original motion for the second reading was then put, and carried.

6. In the afternoon of the same day, the Bill was proceeded with in Committee; no further opposition was offered; the calculations for the export duty were made by the Honourable Mr. Goodman, a planter of much experience, who, I am happy to say, estimates the crop of this year at 67,000 cwt., an amount exceeding the crop of last year (which about equalled the average crop since 1839, 58,583 cwt.) by about 9,000 cwt. The motion for engrossing and reading the Bill the next day was carried *nemine contradicente*, and I naturally concluded that all intention of further obstruction to the measure was abandoned. When the Council was subsequently engaged upon an Ordinance for raising a loan for the repair of the roads, an amendment was proposed by Mr. Macfarlane, to the effect that, "Before raising any additional taxes to meet any deficiency which may exist in the Revenue of the past year 1850, the treasurer's accounts be published in the official Gazette." This motion was withdrawn upon the honourable member's being reminded by another unofficial member that it had application not to the Ordinance then under consideration but to the Ordinance for paying the Public Debt which had been already ordered for a third reading. I took the opportunity, however, of observing to the Board that the treasurer's accounts could not of course be in a state for publication until they had been audited; and that they were not usually published until after the 1st April in each year. I reminded them that I had laid upon the table the treasurer's general statements, showing in detail the debts and outstanding credits of the Colony, and I offered immediately to suspend all financial measures, if any Member would rise in his place, and affirm that he had reason to believe those statements to be incorrect, or that he had any suspicion of irregularity or impropriety in the conduct of the Public Treasury. A strong disclaimer of any belief or suspicion of the kind was then made by the member who moved the amendment.

6. At its rising that evening, the Board adjourned to 11 o'clock the next day, the 16th instant. After waiting for some time in the Council Chamber upon that day, without obtaining the attendance of any of the unofficial members, except Mr. Aubert, I received a letter from one of those gentlemen tendering the resignation of his seat. This was followed by similar communications, at intervals, from other absent Members, until at the expiration of two hours I was in possession of tenders of resignation from the five following gentlemen, namely:

The Honourable Edward Cotter.
" John Goodman.
" Charles Delanbenque.
" John Macfarlane.
" Polienete Cavalier.

I transmit a copy of one of these letters (which are all couched in precisely the same terms) and of the reply which I directed to be conveyed to three of the members, Messrs. Cotter, Delanbenque, and Cavalier. To Mr. Macfarlane I at first replied, that as he was the *locum tenens* of an absent brother, I could not accept his resignation, until I received some intimation from the latter that he wished to resign his seat; but I have subsequently placed my acceptance of Mr. Macfarlane's resignation upon the same footing as that of the other three gentlemen referred to. I at once accepted the resignation of Mr. Goodman, who has for some time past prominently maintained principles, with regard to public obligations in financial measures brought before the Council, which cannot be otherwise than dangerous to the credit of the Colony. The enclosed extract from a printed Report of the Debates in Council on the 2nd May 1850, will show that when I proposed to refer it to a committee to recommend the best means of meeting the expense of the passage of Kroomen, &c., to the Colony, this gentleman gave a decided opinion that an export duty was the most "just" and "expedient" mode. I immediately appointed Constant Bourgeois, Esq., a considerable merchant and storekeeper in Castries, to be provisionally a member of the Legislative Council, in Mr. Goodman's room.

Before

Before the close of the day the Council met again, and a quorum being in attendance the engrossed Ordinance now transmitted received its formal reading for the third time, and duly passed into law. I was thus enabled to frustrate the obvious intention of the retiring members to embarrass the Government, and lock the wheels of legislation for the present; by which means they would have succeeded in preventing the imposition of the English duty they had themselves agreed to the day before. The first vessel is expected to leave this for England about the middle of next month, and if the Ordinance be not passed and assented to before her departure, the pretext will then be adduced that as the produce conveyed by that vessel will have escaped taxation, it would be unjust to impose it upon the remaining portion of the crop.

8. I enclose also the copy of a second letter which I received from Messrs. Cotter Delambenque and Cavalier, after the Ordinance in question had finally passed the Council; together with a copy of the Minutes of Council relating to this question; of the statement furnished by the Colonial Treasurer, exhibiting the position of the finances of the Colony at the close of last year, which was laid upon the Council table, and of a Minute which I considered it right to communicate to the Council, as explanatory of the circumstances under which it met to resume business, after the tender of resignation on the part of the five members. This Minute having been read, I further apprised the Council that when the measure which had been already virtually passed, was completed by the third reading, I should submit no other financial business until I could secure the attendance of a larger number of unofficial members.

9. Upon the letters of the members who have tendered their resignations, I beg to make the following remarks: In their first letter of the 16th instant, they state that they find it "impossible to prevent the Executive laying on additional taxes for the purpose of liquidating the balance of the debt, which was created in consequence of the Treasury Frauds of 1849 and preceding years." To this I reply that no effort whatever was made to prevent the Executive (who on the contrary was deceived into the belief that all opposition was at an end) from redeeming the debt, except by the indirect mode of moving to print the Bill. An amendment was certainly offered after the question had been put for the second reading, and the amendment for printing the Ordinance had been lost; but as no amendment can be received after the question has been put, the second amendment was not handed up; and the official members, as well as myself (and I believe Mr. Aubert also), remained uninformed of its purport. At the adjourned meeting of the Board in the afternoon, it transpired that this amendment was the same as that subsequently moved by Mr. Macfarlane, already referred to; and I need only observe on this point, that if the unofficial section had any *bonâ fide* desire to place that motion on record, it is extraordinary that they should have pretermitted several proper opportunies of doing so. It might have been embodied in a distinct motion to discharge the order for the second reading; or proposed in one or other shape, at the reading of every clause in committee, and again as an amendment when the motion to engross and read the Bill a third time was put. I must observe, moreover, that the debt, although no doubt a consequence of the Treasury frauds, was the immediate result of the shortsightedness of the unofficial section, in maintaining, despite of all remonstrances, that a tax upon stills would raise 3,500*l.* in 1850, whereas the tax fell short of that amount by a sum considerably greater than the amount of the debt in 1849.

10. The assertion of the unofficial members that they asked for time to ascertain what the six months' revenue would produce, is totally contrary to fact; such a proposal was never made in any shape, nor have I any recollection of its being even alluded to in the few observations that were made to the Board by Mr. Goodman. If such a motion had been put and carried, I should have considered it tantamount to a complete overthrow of the Bill, and to a repudiation of the debt of the Colony, as the exports would have thus been placed out of reach of taxation; and no other course, except that of relying upon a probable surplus at the end of the year, was suggested however remotely. The second letter of the unofficial members, of the 16th instant, shows indeed distinctly, by the language of the second paragraph, that they had no intention of proposing any other mode.

11. I have so frequently pointed out the fallacy of the habitual assertions of these gentlemen, that the inhabitants of the Colony are overwhelmed by taxation, that I think it unnecessary to offer any remarks upon that point in this Despatch.

12. The unofficial members are not justified in declaring their conviction that the measures proposed by the Government would be carried without respect being shown to any amendments they might offer. I assert that such a course has never been pursued during my administration, and no later than on the occasion of passing the Tax Ordinance of the present year, when the unofficial members adopted the line of not taking an active part in the passage of that law: many amendments which they desired to see effected, were proposed on their behalf by official members. The nature of the measures to which they refer, and the "forcing" of which upon the country they so seriously apprehend, will be learned by perusing the Minute in which I detailed them to the Council, and the accompanying draft of the Ordinance by which it was proposed to carry them into effect. To these I beg to add a memorandum, showing the probable correctness of the estimate that 1,000*l.* a year would keep the roads in good condition, the only points upon which any doubt of importance could be raised. Looking to the fact that these

measures would have relieved the labouring classes from a most oppressive law, and have laid the foundation of a more efficient system of maintaining the roads, without practically increasing the burdens of the proprietary, I should certainly not have hesitated in carrying it, if possible, notwithstanding unofficial opposition; but I did not contemplate for one moment, raising the loan of 3,000 *l.* for the improvement of the roads, unless supported to a considerable extent by those principally interested in the project.

13. The preceding remarks almost sufficiently dispose of the second letter from three of the unofficial members of the 16th instant. I cannot, however, but express my surprise that these three gentlemen could in 18 hours become so oblivious of the facts as to concur in the positive mis-statement contained in the fourth paragraph of that communication; where it is alleged that when the third reading of the Ordinance was proposed, an amendment was moved by Mr. Goodman, that the draft should be printed. I have already shewn that that amendment was moved upon the motion for the second reading, and that the Bill passed through all its subsequent stages without the slightest opposition. I felt it right to satisfy myself of the correctness, as well of my own recollection of the circumstances, as of the Minutes of Council in this respect by a distinct reference to the Board, and that correctness received the full confirmation of all the members present, as will be seen by the Extract Minute.

14. It is important, in order that the views and principles of the five unofficial members may be clearly understood, to point out that neither on the Minutes of the Council, in the observations which fell from those members in discussion nor in the letters in which their reasons for tendering their resignations are stated, and justified, have they shewn the slightest indication of an intention even to authorise a loan, although to be met by no better security than the supposed surplus of this year. I have no hesitation in attributing their silence on this point to their apprehension, that had they sanctioned the raising of the loan in any shape they would have been virtually pledged to its redemption, and even when the loan was raised in 1849, it was authorised under the belief that it would be met by the outstanding arrears of revenue, as shewn by a Report of the Committee of the Council, which however proved to be completely fallacious and not by additional taxation.

15. Having thus put your Excellency in possession of the circumstances connected with this movement upon the part of a large majority of the unofficial section, I have now the satisfaction of assuring you that there is no ground for apprehending from these proceedings any disagreeable consequences as affecting the continuance of the political and social tranquillity which happily reigns amongst the inhabitants at large. The great mass of the people cannot fail to understand, if their attention be in any way attracted to the subject, that the Government has been anxious to relieve them from a virtual tax that has pressed upon them for years with peculiar injustice, whilst among the upper classes in Castries, where by far the greater part of the intelligent and reflecting inhabitants are concentrated, I have as yet heard of none who do not condemn the proceedings of the unofficial members, except indeed one or two morbid and restless litigators against all government, such as most small communities are more or less afflicted with, and the very few who may be under their immediate influence and that of the seceding Legislators.

16. The Legislative Council is in full and effective operation for all necessary purposes; but I shall abstain from bringing financial measures under its consideration until a new organisation of the unofficial section, to the extent of at least five members, has been effected. Should I fail in accomplishing this object satisfactorily, I shall immediately submit to your Excellency and Her Majesty's Government my recommendation of the course which, in my humble judgment, it may in that case appear advisable to adopt.

17. I have been informed that it was in the contemplation of the five unofficial members to protest against the legality of any Ordinance passed by the Council upon the assumption that their commissions were in force. I apprehend, however, that there can be no doubt that every commission appointing to a permanant office is in operation until superseded by another instrument of equal force, such as a new commission, or an order suspending the holder from the exercise of the functions conferred under the old one. Every Legislature must, *ex necessitate*, I conceive, possess a principal of vitality, independently of the will of its individual members. If, indeed, this were not the case, it would be in the power of a single member, by resigning during the progress of a Bill, to offer an obstruction to the course of legislation, which seems wholly inconsistent with any idea of rational government. In the House of Commons a seat can only be vacated by death, or acceptance of office under the Crown. In the House of Assembly of Jamaica, and (I believe) in other Colonial Assemblies) a member cannot resign his seat but by permission of the House; and I present in my own person an instance in which that permission was refused. If this be the case with respect to elected legislators, the principle must, I should think, surely *à fortiori* apply to those holding commissions from the Crown.

18. If it be necessary to descend to a lower line of argument, I would observe that the unofficial members referred to have only "tendered their resignations," that four of them have been informed not, that these resignations were accepted, nor, as they affirm in their second letter of the 16th instant, that the vacancies occasioned by their tender of resignation would be filled up, but that arrangements should be made, as soon as possible, for superseding their commissions, until which time those commissions would remain in full force.

19. I

19. I have not considered it necessary to take any written opinion on this point from the Attorney and Solicitor Generals, because it has not been brought before me in any shape; and both those gentlemen assisted at the proceedings in Council, together with Mr. Aubert, who is a barrister-at-law; after the fact of the tender of resignation on the part of the five unofficial members had been communicated by me to the Board, and I had stated that it was perfectly competent to those members to attend and vote.

20. I have, in conclusion, to express my hope that your Excellency will be good enough to recommend the appointment of Mr. Constant Bourgeois to be a member of the Legislative Council of St. Lucia for Her Majesty's gracious approval.

I have, &c.
(signed) *C. H. Darling*, Lieut. Governor.

His Excellency
Sir W. M. G. Colebrooke, K.C.B.,
Governor in Chief, Barbados.

— No. 50. —

No. 50.
Sir C. Darling, K.C.B., to the Earl of Carnarvon.
14 January 1867.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Cheltenham, 7, Lansdown-place,
14 January 1867.
(Answered, 25 January 1867, page 107.)

My Lord,

I DO myself the honour to acknowledge the receipt of Mr. Adderley's letter of the 8th instant,* transmitting to me, by your Lordship's desire, a copy of your Despatch to the Governor of Victoria, upon the address to the Queen from the Legislative Assembly of that Colony, praying that Her Majesty would be pleased to sanction the acceptance by Lady Darling of a grant of 20,000 *l.* recommended by a Select Committee of that body to be made to her, in order to "obviate, in some degree," the "heavy pecuniary loss to my family," occasioned by my recall from the Government of the Colony.

* Page 96.

I observe that it is stated in your Lordship's Despatch that "the rule that a governor should not receive pecuniary or valuable presents from the inhabitants of the Colony over which he presides, either during the continuance of his office, or on leaving it, is expressly laid down in the Colonial Regulations, and for obvious reasons it has always been rigidly enforced;" and that under these circumstances it is impossible that the acceptance of the proposed grant should be regarded otherwise than as a final relinquishment by me, as Lady Darling's husband, of the Colonial service, and "of all the emoluments or expectations attaching to it."

By former communications from your Lordship I have become aware that, included amongst those emoluments and expectations is the pension grantable under conditions prescribed by an Act of Parliament, for which service, as a Governor for a period of more than 18 years, would entitle me to prefer a claim upon attaining the age of 60.

From those communications I have also learned that your Lordship, in the exercise, as I conceived, of your own judgment and discretion, had considered it important to maintain the principle of the regulations referred to; but until I received the letter which I have now the honour of acknowledging, I was not aware that a belief that the rule had always been "rigidly enforced," formed one of the circumstances (and from the language of the 5th paragraph of Mr. Adderley's letter of the †12th October, no doubt a very weighty circumstance) which had influenced your Lordship's opinion.

† Page 64.

If I had been aware that your Lordship had entertained that supposition, I should, at the very commencement of the correspondence upon this subject, have submitted to your Lordship's consideration the circumstances which I am now compelled to bring under your notice, for I am persuaded that if I can show that the rule has not been "rigidly enforced" as regards forfeiture of pension, but, on the contrary, that amongst the Governors who have claimed pensions, the only one who has received a valuable present from the inhabitants of the Colony over which he presided, has been allowed to receive the pension to which he was entitled, and allowed, too, by the very Minister who advised Her Majesty to recall me from the Government of Victoria, I shall have established such a case as will fully entitle me, at least, to expect that the question may be left open for final determination whenever my claim to pension shall arise.

I beg, accordingly, to refer to the enclosed extracts; one, of Mr. Westgarth's work, entitled, "The Colony of Victoria," published in 1864, page 75; and the other, of a Parliamentary Return of Pensions to Colonial Governors. I need not hesitate to refer to the facts which these documents disclose, because they are matter of published history and official record; and because no possible injury can consequently result to the highly respected gentleman to whom they refer. I may perhaps add, because also the relation which they bear to the Colony of Victoria, where the facts are known to all classes of the inhabitants, renders the reference peculiarly apposite to my case.

I beg to state, that about the same time that the event narrated by Mr. Westgarth took place in Victoria, viz., towards the close of the year 1854, I refused a public dinner which was offered to me upon retiring from the Provisional Government of the Cape of Good Hope, and it was then determined to augment the subscriptions for that purpose, and to tender to me a valuable present of plate; but the design was abandoned, because it was understood that such a proceeding would be opposed to the then existing regulations respecting presents to Governors, although those regulations were not so explicit in their language as those which appeared in the more recent edition of the Rules and Regulations of the Colonial Service.

At that time, no question respecting a forfeiture of pension could arise; and I now respectfully ask at your Lordship's hands a consideration of the fact, that the only case connected with a pension which has yet occurred constitutes a clear precedent in favour of non-forfeiture of a pension already earned, so far as active service is concerned.

I may even add, that there are cases within my knowledge in which the acceptance of a valuable present from the Colonists, although no concealment whatever of the facts has been attempted, but, on the contrary, every notoriety has been given to them, has not been regarded in practice as disqualifying the recipients from continuance in office, and which, therefore, seem to show that the rule has not hitherto been considered as one to which an exception could not under any circumstances be made.

I have, &c.
(signed) *C. H. Darling.*

Enclosure 1, in No. 50.

Encl. 1, in No. 50.

EXTRACT.

BUT in all other relations, no one commanded more respect than Mr. Latrobe. On his departure from Victoria, after an unusually long administration of 15 years, commencing with a very small, and ending with a very great Colony, he was presented by his numerous colonial friends with a most elegant and substantial testimonial manufactured from that abundant precious metal which had latterly made the place of his government world-famous. The subject is deserving of mention here, both because the article in question was a creditable specimen of manufacture, and because it was a conspicuous object at the late International Exhibition, amongst the many objects of value and interest contributed by Victoria to that great world's gathering.

Enclosure 2, in No. 50.

Encl. 2, in No. 50.

EXTRACT of Return of Colonial Governors to whom Pensions have been granted, under Act 28 & 29 Vict. c. 113.

THE pensions commence on the 5th July 1865, the date of the Act.

Name	Latrobe, C. J.
Age	64
Service	13 years.
Salary on retirement	2,000 *l.*
Allowance granted	333 *l.* 6 *s.* 8 *d.*

(signed) *Hugh C. E. Childers.*

Treasury Chambers, 26 February 1866.

— No. 51. —

No. 51.

Copy of a LETTER from Sir *Frederic Rogers*, Bart., to Sir *C. Darling*, K.C.B. Sir F. Rogers, Bart., to Sir C. Darling, K.C.B.

Sir, Downing-street, 25 January 1867. 25 January 1867.

I am directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 14th instant,* in which you dispute the accuracy of the statement contained in a recent Despatch from Lord Carnarvon to the Governor of Victoria, to the effect that "the rule that a Governor should not receive pecuniary or valuable presents from the inhabitants of the Colony over which he presides during the continuance of his office, or on leaving it, is expressly laid down in the Colonial Regulations, and for obvious reasons it has always been rigidly enforced."

* Page 105.

The word "always," as might have been inferred from the context, was intended to mean "ever since." And in that sense Lord Carnarvon is informed that the statement impugned by you is strictly accurate.

The rule which forbids Colonial Governors to receive presents on leaving office was first "expressly laid down in the Colonial Regulations" in 1856. I annex a copy of the Circular Despatch on which it was founded. 26 May 1855.

I am, &c.
(signed) *Frederic Rogers.*

Enclosure in No. 5.

Circular.

Sir, Downing-street, 26 May 1855. Encl. in No. 51.

I have had lately some reason to suppose that a rule, for some time established in Her Majesty's Colonial Service, is not universally known. It is that which absolutely prohibits the receipt of pecuniary or valuable presents by Governors from the inhabitants of the Colonies under their administration, or any class of them, during the continuance of their office. It is quite unnecessary for me to detail the reasons for this prohibition, which are evident of themselves; it may be enough to say that they rest on no considerations affecting the honour of gentlemen selected by the Crown to fill situations of this high importance, but on the necessity of preserving them, in the eyes of the public, free from all suspicion.

2. These reasons apply to the receipt of presents of the same description by a Governor on leaving his office with scarcely less force than during its continuance. And although Her Majesty's Government cannot exercise any direct control over the actions of gentlemen on the point of leaving the public service, they feel it their duty to record this opinion, and to express their hope that it may be acted on as a general rule.

I have, &c.

— No. 52. —

No. 52.

Copy of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*. Sir C. Darling, K.C.B., to the Earl of Carnarvon.

Cheltenham, 7 Lansdown-place, 16 January 1867. 16 January 1867.

My Lord, (Answered, 1 February 1867, page 108.)

Begging permission to refer to previous correspondence, and specially to my letter to Sir Frederic Rogers, dated the 26th September last,* I have now the honour to inform your Lordship, that by the last mail from Australia, I learned from Governor Sir John Young, that he handed the packets containing my letters addressed to Mr. Secretary Cardwell therein referred to, to his private secretary's clerk-assistant (the private secretary being at the moment ill); that the clerk-assistant recollects his receipt of them, and "stoutly avers" that "he duly forwarded them in the bag along with" Sir John Young's Despatches, and that Sir John Young has caused inquiry respecting my letters to be made in every quarter he could think of, "all without result."

* Page 71.

I intended my humble petition to Her Majesty as a distinct appeal to Her

sovereign authority, from the advice affecting me as Her Majesty's servant, which Her Minister, Mr. Cardwell, had tendered to Her. I was emboldened to make that appeal by my knowledge (derived from his own autograph letters) of Mr. Cardwell's opinion, that the constitutional maxim, "'The King reigns and does not govern,' has never been accepted in England in the sense of reducing the Sovereign to a cipher;" and I felt that if, under that opinion, there ever could be a case in which the Sovereign might properly be appealed to with a humble request to direct that an investigation into the conduct and treatment of a public servant should be instituted, it was a case in which that servant had represented Her Majesty's Crown in five of her Colonial possessions, for a period of 18 years; in which the efficiency and importance of his services had been distinctly recognised both by the Crown and by the people, and in which the injustice and insufficiency of the grounds upon which his dismissal from the office of Governor had been advised, as publicly announced, were attested by the great majority of Her Majesty's subjects and their elected representatives in the Government he had most recently held.

That a petition of such a nature, and so transmitted, should not only have been arrested in its progress to the foot of the Throne, but have never even reached the Minister through whom it would properly be submitted to Her Majesty, is surely a miscarriage which cannot be overlooked or lightly regarded; and which justifies the apprehension on my part, that I have been exposed to adverse influences and injurious proceedings from which I should have been rigidly protected.

I beg leave thus pointedly to bring the case under your Lordship's notice, as one which demands a searching investigation.

I have, &c.
(signed) *C. H. Darling.*

— No. 53. —

No. 53.
Right Hon. C. B. Adderley, M.P., to Sir C. Darling, K.C.B.
1 February 1867.

COPY of a LETTER from the Right Honourable *C. B. Adderley*, M.P., to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 1 February 1867.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 16th January,* and to inform you in reply, that your petition of the 16th May has been submitted to Her Majesty, but that Lord Carnarvon has been unable to advise the Queen that a special tribunal should be constituted to judge of the propriety of the course adopted by Her Majesty on the advice of Her Government in recalling you from the Colony of Victoria.

* Page 107.

I have, &c.
(signed) *C. B. Adderley.*

— No. 54. —

No. 54.
Sir C. Darling, K.C.B., to the Earl of Carnarvon.
18 January 1867.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon.*

Cheltenham, 7, Lansdown-place,
18 January 1867.

My Lord, (Answered, 31 January 1867, page 109.)

IN Mr. Secretary Cardwell's Despatch to Governor Eyre, of the 1st December 1865 (printed at page 250 of Papers relating to the Disturbances in Jamaica, Part 1), is the following passage, viz.:

"The ultimate control over the Local and Home Government alike, is to be found in the power of appealing to Parliament which is at all times ready to listen to complaints of an undue exercise of authority on the part of the Minister of the Crown."

I complain, as your Lordship is aware, of what I believe to be an undue exercise

exercise of authority on the part of the Right Honourable Edward Cardwell in removing me from the Government of Victoria.

My latest communications from that Colony induce me in no degree to relax my efforts to obtain a full investigation into my conduct as its Governor, in order that my public reputation may be entirely relieved from reproach in the estimation of the Queen and Parliament of this country.

I beg, therefore, respectfully to inquire whether, in the event of my petitioning Parliament with that object, I may hope that Her Majesty's Government will not oppose the prayer of my petition.

I have, &c.
(signed) *C. H. Darling.*

— No. 55. —

No. 55.
Right Hon. C. B. Adderley, M.P., to Sir C. Darling, K.C.B.
31 January 1867.

COPY of a LETTER from the Right Honourable *C. B. Adderley*, M.P., to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 31 January 1867.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 18th instant,* requesting to be informed whether, in the event of your petitioning Parliament with a view of obtaining an investigation of your conduct as Governor of Victoria, Her Majesty's Government will not oppose the prayer of your petition.

* Page 108.

In reply, I am to inform you that Lord Carnarvon does not think it expedient to involve Her Majesty's Government in any pledge on the subject.

I am, &c.
(signed) *C. B. Adderley.*

— No. 56. —

No. 56.
Sir C. Darling, K.C.B., to the Earl of Carnarvon.
28 January 1867.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Cheltenham, 7, Lansdown-place,
28 January 1867.

My Lord, (Answered, 4 February 1867, page 111.)

I HAVE the honour to acknowledge the receipt of Sir F. Rogers' letter of the 25th instant.*

* Page 107.

I beg to assure your Lordship, in reply, that nothing was further from my intention in my letter of the 14th instant† than to equivocate as to the sense in which the word "always" was employed.

† Page 105.

It is apparent upon the face of that letter, that it was upon the meaning of the term "rigidly enforced," and not upon that of the word "always," that my representation to your Lordship was based.

It was precisely because I concluded that it was the intention of your Lordship's Despatch to the Governor of Victoria to affirm that the rule therein referred to had been enforced only "ever since" it was "expressly laid down in the regulations," and because that view of the history of the regulations excluded unfairly, as I conceived, a case which I thought similar in principle to my own, that I deemed it my duty to address your Lordship upon the point.

Your Lordship's Despatch I read, as I think I was justified in reading it, and as it is clearly implied by my letter of the 14th instant that I had read it, in conjunction with the letter addressed by Mr. Adderley to me upon the same subject on the 12th October last.‡ It could never, I am sure, be your Lordship's intention that these documents should be interpreted otherwise than consistently with each other.

‡ Page 64.

In Mr. Adderley's letter a pointed reference is made to the "reasons" upon which the regulations respecting presents to Governors were originally "framed," and the consequences apprehended from now relaxing them.

I perfectly remembered the tenor of the circular Despatch of which a copy has, by your Lordship's desire, been forwarded to me, although its precise terms were not in my recollection.

The language of that Circular shows that it was issued because "there was

reason to suppose that the general rule which had been for some time established," prohibiting presents to Governors during the continuance of office, and applicable "with scarcely less force" on their retirement from office was not "universally" known.

The circular was at the time understood to constitute what is, in common parlance, called a "reminder;" the concluding sentence which relates to gentlemen "on the point of leaving the public service" being new and evidently admitting a difference in their position from that of Governors who might still be candidates for further employment.

I have already stated in my letter of the 14th instant, that in a case affecting myself, the meaning and intention of the rule were understood and practically acted on in 1854; and I now beg to add, that the course taken on the occasion to which I then referred, was founded on an instance of the same nature, which had then just previously occurred.

Moreover, it is understood in Victoria, and has been there publicly affirmed (but with what truth I know not), that in the case quoted from Mr. Westgarth's History, the rule was "enforced," but only so far as involved the subsequent non-employment of the recipient of the present from a portion of the inhabitants of the Colony.

It was the object of my letter of the 14th instant, to show that since the rule had been "framed" and established, and in some instances "enforced" by means of non-employment, but not merely since it was referred to in the Circular and explicitly laid down in the Book of Regulations, it had been clearly shown, and that too by a proviso specially introduced into an Act of Parliament, that it was not deemed necessary to superadd the forfeiture of a pension already earned, to the penalty of exclusion from future employment.

I believe that stronger grounds than my own case for invoking that instance as a precedent cannot possibly be found, but I need not in this place recapitulate them.

It is for your Lordship to determine whether the instance I have referred to was duly brought to your notice or not. For my own part, I can only say, that my purpose in referring to it was not to impugn the accuracy of any statements made by the officers of the department over which your Lordship presides, but to appeal to you as a Minister of the Crown upon the broad principles of justice and equity, and the evident meaning of an Act of Parliament.

The concluding sentence of the circular of the 26th May runs thus: "And although Her Majesty's Government cannot exercise any direct control over the actions of gentlemen on the point of leaving the public service, they feel it their duty to record this opinion, and to express their hope that it may be acted on as a general rule."

That Circular was issued by Earl Russell, the head of the Administration, which, as I am informed by Mr. Cardwell, concurred in dismissing me from office; whether justly or unjustly, expediently or inexpediently, may yet, I trust, be publicly shown.

But in the position relative to the public service in which that Act of dismissal has placed me, the suggestion naturally presents itself, that the passage I have quoted was constructed in a remarkable spirit of foresight (founded, no doubt, upon the public views, in such matters, of its author) that some case would in future arise, wherein the pressure of a supposed Parliamentary exigency, or, it may be, the attainment of some even more cogent personal or political object, might induce proceedings so palpably oppressive and unjust, and so ruinous to the personal fortunes of a public servant approaching the natural termination of an honourable and useful career, as to compel him to disregard the "opinion," and frustrate the "hope," which his Lordship by that Circular placed upon record.

If this fate unhappily were mine, I confess that I should be much reconciled to it, by the assurance which the Circular elsewhere conveys, that the prohibition thus slighted rests upon "no consideration affecting the honour of gentlemen" who have been selected to represent the Crown, and the certain knowledge I possess, that its observance would not in my case be necessary to preserve me in the eyes of the public "free from all suspicion."

If your Lordship has thought it necessary to communicate a copy, or the substance of the letter I have now the honour of replying to, to the Governor of

of Victoria, as from the date of that letter I have thought may possibly be the case, I hope you will do me the favour to allow copies of this letter, and of my letter of the 14th, to be also transmitted to his Excellency.

I have, &c.
(signed) *C. H. Darling.*

— No. 57. —

No. 57.

Copy of a LETTER from the Right Honourable *C. B. Adderley*, M.P., to Sir *C. Darling*, K.C.B.

Right Hon. C. B. Adderley, M.P., to Sir C. Darling, K.C.B.

Sir, Downing-street, 4 February 1867.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 28th ultimo,* and to inform you that a copy of it will be forwarded by the next mail to the Governor of Victoria.

4 February 1867.

* Page 109.

I am, &c.
(signed) *C. B. Adderley.*

— No. 58. —

No. 58.

Copy of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Sir C. Darling, K.C.B., to the Earl of Carnarvon.

7 Lansdown-place, Cheltenham,
31 January 1867.

31 January 1867.

My Lord, (Answered, 14 February 1867, page 111.)

I REQUEST permission to inquire whether there will be any objection on the part of Her Majesty's Government to the production of the correspondence I have had the honour to hold with the Secretary of State since the date of the Despatches, copies of which were presented to Parliament on the 28th of June last, and of any Despatches from Brigadier General Carey, transmitting Addresses connected with my recall from the Government of Victoria, upon motion duly made in either House of Parliament to that effect.

I have, &c.
(signed) *C. H. Darling.*

— No. 59. —

No. 59.

Copy of a LETTER from the Right Honourable *C. B. Adderley*, M.P., to Sir *C. Darling*, K.C.B.

Right Hon. C. B. Adderley, M.P., to Sir C. Darling, K.C.B.

Sir, Downing-street, 14 February 1867.

IN answer to your letter of the 31st ultimo,* I am directed by the Earl of Carnarvon to inform you that there will be no objection on the part of Her Majesty's Government to the production of the correspondence to which you refer, on a motion being made to that effect in either House of Parliament.

14 February 1867

* *Supra.*

I am, &c.
(signed) *C. B. Adderley.*

— No. 60. —

No. 60.

Copy of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Sir C. Darling, K.C.B., to the Earl of Carnarvon.

Cheltenham, 4 February 1867.

My Lord, (Answered, 11 February 1867, page 112.)

I HAVE the honour to thank your Lordship for directing the communication to me of the Despatches, copies of which were transmitted with Sir Frederic Rogers' letter of the 1st instant.*

4 February 1867.

* Page 100.

Not feeling quite sure whether my Despatch, No. 32, of 6th October 1859, "Turks Islands," terminates with the word "emergency" in the 3rd paragraph, I should be much obliged by the information whether such is the case, and if not, that I may be favoured with a copy of the concluding part of that Despatch.

I have, &c.
(signed) *C. H. Darling.*

— No. 61. —

No. 61.
Sir F. Rogers, Bart., to Sir C. Darling, K.C.B.
11 February 1867.
* Page 111.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 11 February 1867.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 4th instant.*

I am desired by his Lordship to transmit to you a copy of your Despatch to the Duke of Newcastle of 6th October 1859, No. 32.

I have, &c.
(signed) *Frederic Rogers.*

Enclosure in No. 61.

Encl. in No. 61.

Governor Sir *C. Darling* to the Duke of Newcastle.

(Turks Islands, No. 32.)

My Lord Duke, King's House, Jamaica, 6 October 1859.

I HAVE the honour to transmit herewith a Despatch, with enclosures, dated the 6th ultimo, and marked "separate," from the President of the Turks and Caicos Islands, reporting the resignation of their seats in the Council by all the Elective Members of that body, and that in consequence of an omission to cause the requisite registration to be made, writs for the election of new Members cannot be issued at a sufficiently early date to enable those Members to take their seats in time to pass the appropriation Ordinance for the year 1860.

No. 1. Separate, 6 Sept. 1859.

2. After fully considering all the circumstances of the case, I came to the conclusion that the Council could legally pass Ordinances so long as a quorum, even if composed altogether of official Members, should be present; I found this view confirmed upon consultation with the Acting Attorney General of Jamaica, Mr. Edward Kemble, who is also the Queen's Advocate, and although fully coinciding with the view expressed by Mr. Kemble, that such a course could scarcely be considered in accordance with the spirit of the Legislative Constitution of the Islands, yet I considered it desirable in this instance to resort to the exercise of such power as the Government possessed, with the double object of meeting the inconvenience which the want of the usual Appropriation Ordinance would occasion, and of demonstrating to the inhabitants that it is not in the option of their elected representatives virtually to stop the machinery of Legislation.

No. 2. 30 Sept. 1859.

3. I beg respectfully to refer to my communication to Mr. Inglis, and to the Acting Attorney General's Report which accompanies it, and to express my hope that the decision at which I have arrived, not without a full appreciation of the difficulties of the case, may be that which your Grace will consider best calculated under all the circumstances to meet the emergency.

I have, &c.
(signed) *C. H. Darling.*

His Grace the Duke of Newcastle,
&c. &c. &c.

President *Inglis* to His Excellency the Governor.

(Separate.)

Government House, Grand Turk,
Sir, 6 September 1859.

Presidency of the Turks and Caicos Islands.

I HAVE the honour to report to your Excellency that the Elective Members of the Legislative Council of this Colony resigned their seats on Saturday last, the 3rd September instant, having communicated the same to me in a letter of that date, a copy of which forms Enclosure No. 1 in this Despatch.

2. The reason assigned for the adoption of this course is the fact of Ordinance No. 1, of

of 1859 for maintaining Order in Council having been passed on the 30th August ultimo by the votes of the non-elective Members, and my casting vote (as I informed your Excellency would be the case) and proclaimed to be in force until Her Majesty's pleasure shall be known, in accordance with the sanction contained in your Excellency's Despatch, No. 43, of 26th July 1859. A copy of this Ordinance is herewith enclosed, forming Enclosure No. 2.

3. In consequence of the omission of any registration for this year which ought by Ordinance No. 1 of 1858, section 1, to have been made for 1859, in the month of October of the previous year, no election of Members of Council can be held during the present year.

4. This omission is only capable of the explanation that a registration of voters was made in 1858, in accordance with the 11th section of the above-recited Ordinance, but which registration it appears, only applies to elections held during 1858; a fact to which my attention was not drawn, nor did it occur to me that two registrations could be required in one year.

5. The above-mentioned 11th section declares, that "the lists shall, for the present year (1858), be made out as soon as possible after this Ordinance shall come into operation;" and the close of the same section further states, that "these lists shall be deemed to be a register of persons qualified to vote at any election for Members of Council of these islands, which may be held during the present year" (1858). A copy of this Ordinance forms Enclosure No. 3 herein.

6. The principal inconvenience arising from the omission of a second registration in October 1858, and my consequent inability to issue fresh writs of election during the present year, will be the fact of no Appropriation Act being passed during 1859, for the expenses of 1860.

7. It will, however, be competent for the Legislature, which might be called together in January 1860, to pass an appropriation for the current year, while they would be also competent to pass a vote of indemnity to sanction the payment by the Receiver General of the President's warrants, until the Ordinance received your Excellency's provisional sanction.

8. But the action taken, and the course proposed to be continued, by the late elective Members who stand pledged to their constituents to stand for their respective seats again under any circumstances, whether Ordinance No. 1, of 1859, receives Her Majesty's sanction or disallowance, and who will therefore very probably be re-elected next year, the probability, amounting almost to a certainty, if the elections could take place at once, must, I fear, eventually prove the means of bringing to a close all legislative business under the present constitution of this Colony, as I cannot contemplate the possibility of the Ordinance receiving Her Majesty's disallowance, or if such should be the case, of legislation under present circumstances being less impeded.

9. Meanwhile, by the advice of the Executive Council, I have adjourned the Legislature until the 5th of October next, by which time I may possibly be favoured with your Excellency's advice or instructions on this subject by a vessel which is engaged to bring the English and West India mails for this Colony from St. Thomas, which are delayed there, along with those which will be due at St. Thomas on the 1st proximo.

I have, &c.

His Excellency C. H. Darling, &c. &c. &c.

(signed) *W. R. Inglis*, President.

Extracted from the Turks Islands "Royal Gazette" of Wednesday, the 7th September 1859.

To His Honor President *Inglis*.

Sir, Turks Islands, 3 September 1859.

We, the undersigned elective Members of the Council of Government of the Turks and Caicos Islands, do hereby resign our seats in the Legislative Council, in consequence of our entire want of confidence in the mode in which the President and Members of the Executive Council are now carrying on the affairs of this Government, which is demonstrated by the fact of their having passed an objectionable Ordinance imposing a pecuniary fine on Members of Council, solely by the votes of the Executive Council and casting vote of the President, which, in its oppressive operation, positively silences the voices of the elective Members, and leaves them no power to act for the benefit of their constituents, prevents all fair and legitimate legislation, and compels them, in justice to their constituents, to this united act.

The elective Members cannot but express their regret that His Excellency the Governor General should have erroneously been led to give his provisional assent to the immediate operation of so arbitrary and unprecedented an Ordinance, without having first been made acquainted with the votes of the elective Members, to whom it was specially intended to be applied.

(signed) *N. T. Godet.*
Geo. Gibbs.
A. J. Astwood.
N. G. Butterfield.

EXTRACTED from the Turks Islands "Royal Standard" of Saturday, the 3rd September 1859.

Government Notice.

HIS Honor, the President, has been pleased to direct that the following Ordinance be published for general information.

(signed) *J. J. M'Intosh,*
Colonial Secretary.

Colonial Secretary's Office,
Grand Turk, 1 September 1859.

1859, No. 1.

(L. S.) An Ordinance Enacted by the President and Council of the Turks and Caicos Islands, under the supervision of the Captain General and Governor in Chief in and over the Island of Jamaica, to preserve Order during the Sittings of the Legislative Council for the said Islands.

WHEREAS it is indispensably necessary that the President of the Legislative Council of these Islands should be duly enabled and empowered to preserve order during the sittings of the said Council, and as at present the said President hath no legal authority or power by means of which such order can be enforced and maintained; May it therefore please the Queen's most excellent Majesty that it may be ordained, and be it ordained, by his Honor William Robert Inglis, Esquire, President of the Council administering the Government of the Turks and Caicos Islands, and the Legislative Council of the said Islands, under the supervision of the Captain General and Governor in Chief in and over the Island of Jamaica, and it is hereby ordained under the authority of the same:

1st. That during the sitting of the Legislative Council, any Member adjudged by the President of the Council to be out of order, may be called to order by the said President; and if any Member of Council, after having been called to order as aforesaid, shall persist in being disorderly, he shall be liable for the first offence to a fine of five pounds, and to a further fine of ten pounds for every subsequent offence committed during the same meeting of Council.

2nd. That every and all such fine and fines shall be forthwith made and levied on the goods and chattels of the offender by the Provost Marshal of these Islands for the time being, on receipt of a Warrant or Warrants under the hand and seal of the said President of the Council; and every and all such fine and fines when recovered shall be appropriated and applied to and for the use of Her Majesty, Her heirs and successors, towards the support of the government of these Islands.

3rd. That by the term "President" in this Ordinance, shall be understood to mean the President or Officer administering the Government for the time being; and by the term "Provost Marshal" shall be understood to mean the Provost Marshal or other person acting as such.

(signed) *W. R. Inglis,* President.

Passed the Legislative Council on the thirtieth day of August, A. D. 1859.

(signed) *J. J. M'Intosh,* Clerk of the Council.

Presidency, Turks and Caicos Islands.

(L. S.) BY His Honor WILLIAM ROBERT INGLIS, Esquire, President of the Council Administering the Government of the said Islands.

A Proclamation.

WHEREAS his Excellency the Governor in Chief has signified his assent, provisionally, until Her Majesty's pleasure shall be made known herein, that the under-mentioned Ordinance shall come into operation and be in force immediately after the passing thereof by the Legislative Council of these Islands, and the same shall have been proclaimed, to wit: "Ordinance, No. 1, of 1859, to preserve order during the sittings of the Legislative Council for the said Islands."

I therefore do issue this my Proclamation, declaring the said-recited Ordinance to be in full force and effect from and after the publication hereof.

Given under my hand and the public seal of the Presidency, at Grand Turk, this thirtieth day of August, A. D. 1859.

(signed) *W. R. Inglis,* President.

By His Honor's Command,
(signed) *J. J. M'Intosh,* Colonial Secretary.

God Save the Queen.

Mr. *Kemble* to the Governor's Secretary.

Sir, Spanish Town, 24 September 1859.

I BEG to acknowledge the receipt of your communication of the 17th instant (No. 1078), transmitting a Despatch and certain other documents from the President of the Turks Islands, together with the Book of Instructions (all of which I now return), and in reply to the question submitted by his Excellency, I have the honour to state, that in consequence of the 23rd Rule of the Standing Rules and Orders of the Council of the Turks and Caicos Islands, made in pursuance of Her Majesty's instructions given under her Sign Manual on the 25th October 1848 (all of which Rules I assume from the copy before me to have been submitted to, and with the exception of the 19th Rule, to have been allowed by Her Majesty in Council), I am of opinion that each elective Member of the Legislative Council of the Turks and Caicos Islands has the power to resign office during the existence of the term of five years for which he was elected; but it appears to me, that though (as stated in the President's Despatch) all the elective Members of the Council have resigned, whereby their seats have become vacant, still, inasmuch as a quorum capable of transacting business nevertheless remains, viz., the four non-elective Members (see 5th of Her Majesty's Instructions of 25 October 1848), it may, I think (as far as I can ascertain from the documents before me), consistently with the peculiar constitution of the Islands, be held, that the legislative power of the Council during such vacancy is not suspended, but may be exercised by the President and the four non-elective Members during the interval which may occur before such vacancy is filled up; but whether such a course, however in accordance with the letter, can be considered to be in accordance with the spirit of the Constitution as contained in the Act of Separation, the 4th section of which evidently intends that legislative authority should be entrusted to, and exercised by, a Council in which the popular element should be largely developed, and whether it would be expedient for the non-elective portion of the Council to exercise such an authority during so long a period as must elapse before new elective Members can be returned, in consequence of the inability to hold elections mentioned in the above Despatch, may, I think, well be questioned.

I have, &c.,

H. W. Austin, Esq. (signed) *Edward Kemble.*
Governor's Secretary.

Governor Sir *C. Darling* to His Honor *W. R. Inglis*, Esq.

(Turks Islands, No. 50.)

King's House, Jamaica,

Sir, 30 September 1859.

I HAVE to acknowledge the receipt of your Despatch of the 6th ultimo, marked "separate," reporting the resignation of their seats in the Legislative Council by all the Members of the unofficial section of that body, and informing me that writs for the election of other Members instead of those who have resigned, cannot be issued in consequence of an omission to make a certain registration of the electors, which is required by the Ordinance No. 1, of 1858.

2. I assume that the resignation of the unofficial members is considered to be legalised by the 23rd of the Standing Rules and Orders of the Council, by which Rule it would appear that such resignation does not require as a condition of its validity, that it should be accepted by the President or by the Council, but if made in writing under the hand of the Member, is "*ipso facto*" a vacation of his seat. Nor is it, I apprehend, in the power of a Member who has resigned to recall his resignation.

3. It may fairly be concluded that, whatever be the purpose for which this absolute power of abdicating their functions was given to the elective Members, it was not at least contemplated that it would ever be employed as the instrument of a combination on their part to obstruct the business of the Legislature to such an extent as in fact to nullify the constitution of the Colony; and it is satisfactory to me to be enabled to inform you, after consultation with the acting Attorney General of Jamaica, that such a consequence does not necessarily follow the proceedings of the elective Members in this instance.

4. The Legislative Council, having been once legally constituted, continues to be so constituted until it is either dissolved by the Executive, expires by effluxion of time, or ceases, in consequence of the death or resignation of Members, to consist of a number sufficient to form the legal quorum necessary for the transaction of business.

5. The Legislative Council of the Turks Islands still includes four Members besides the President, and is therefore competent to pass laws for the good government of the Islands.

6. I fully recognise the position that the privilege of being represented in the Legislature, which was conferred upon the inhabitants of the Turks Islands by the Act of Separation, is one which it is the bounden duty of the Goverment to respect, and of the practical exercise of which the taxpayers ought not to be deprived, even by the Act of their representatives, except in a case of extreme public emergency. It seems to me that such a case has arisen, and that the interests of the inhabitants themselves urgently demand

that the functions of the Legislature should not be suffered to be altogether destroyed, it there be any constitutional power to keep them in active operation.

7. That power should, however, only be exercised, so far as raising the supplies and legalising expenditure are concerned, to the extent which may be necessary to satisfy the public creditor, and maintain inviolate the public faith. In fact, during the abeyance of the representative element in the Legislature, no new taxes should be raised, and no new item of expenditure sanctioned.

8. Keeping these principles in view, I have to authorise you to proceed at once to bring the usual Appropriation Ordinance for the year 1860 under the consideration of the Legislative Council, subject only to this proviso: that, after consulting with your law adviser and the Executive Council, and communicating to them the accompanying copy of the opinion of the acting Attorney-General of Jamaica, you shall be satisfied that the question does not involve any legal point on which the documents adverted to in Mr. Kemble's report, and enumerated in detail in the margin, may not contain the requisite materials for forming a correct opinion.

9. You will, of course, take measures for issuing writs of election, whenever the registration is in a proper state to permit of that proceeding. Even if, as you anticipate, the Members who have resigned should be again returned, it may be hoped that they will adopt a different course after they shall have perceived that a repetition of the recent proceeding on their part can only result in virtually depriving their constituents of the privilege of which it is their bounden duty to secure to them, the most beneficial exercise of which the principles of the legislative constitution of the Turks Islands will admit, or might possibly terminate in a fundamental change in that constitution, as having been found to be altogether unsuited to the circumstances of the Turks Islands community.

10. Finally, I have to instruct you to bring under the consideration of the Legislative Council, the expediency of revising the 23rd Standing Rule, so as to require that the resignation of an elective Member shall not be complete, and his seat vacated, until that resignation has been accepted by the Council.

11. Looking to the terms of Her Majesty's Order in Council of the 11th August 1848, which declares that every elective Member shall continue to be a Member for the space of five years from the day of his election, unless the Council shall be sooner dissolved, "subject, nevertheless, to the provisions herein-after contained for vacating the same," and to the fact that no such provisions are contained in the said Order, while the authority to make Rules, conveyed by the 6th clause of the Royal Instructions, appears to limit those Rules to purposes which certainly cannot be regarded as including proceedings calculated to obstruct instead of to further the deliberations of the Council, it may well be doubted whether the resignation of the elective Members is sufficiently provided for in law by the Rule referred to.

12. The Members of the House of Commons do not, as you are aware, possess the power of resigning their seats, but can only vacate them by accepting an office under the Crown; and in the House of Assembly of Jamaica, which is probably the freest representative body in Her Majesty's dominions, permission to resign must be granted by the House, and that permission is refused in cases (such, for instance, as those of controverted elections) where the interests of the constituency appear to render that course expedient.

I have, &c.
(signed) *C. H. Darling.*

His Honor W. R. Inglis, Esq.

— No. 62. —

No. 62.

Sir C. Darling, K.C.B., to the Earl of Carnarvon.

4 February 1867.

COPY of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

My Lord, Cheltenham, 4 February 1867.

I HAVE the honour to acknowledge the receipt of Mr. Adderley's letter of the 1st instant.*

* Page 108.

In the present position of the question of my recall from the Government of Victoria, it seems unnecessary that I should say more in reference to that communication, than respectfully express to your Lordship my regret that I had not been made aware that my petition, the non-receipt of which by the Secretary of State had occasioned me so much surprise, and obliged me to refer to the Governor of New South Wales upon the subject, had at last reached your Lordship's hands.

Interested as I am in the matter, as the petitioner, it was not perhaps unreasonable to expect some explanation of the miscarriage which had taken place.

I have, &c.
(signed) *C. H. Darling.*

— No. 63. —

No. 63.

Copy of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Sir C. Darling, K.C.B., to the Earl of Carnarvon.

Cheltenham, 20 February 1867.

20 February 1867.

My Lord, (Answered, 4 March 1867, page 117.)

I beg to offer to your Lordship my best thanks for the communication contained in Mr. Adderley's letter of the 14th instant.*

* Page 111.

It is of some importance to me (as I conceive) in connection with my recall from the Government of Victoria, that I should show that in the discharge of the duties of every commission which I have had the honour to hold as a Colonial Governor, I have found it necessary to adopt a course which unusual circumstances alone would justify, in order to maintain the public credit, and obviate the confusion and distress which delay in granting or disbursing the supplies of the year would have occasioned; and that in none of those cases, save that of Victoria, did my proceedings entail upon me the slightest censure of Her Majesty's Government.

I am in possession of the documents which establish this position in all the cases I refer to, except that of the Cape of Good Hope. I have been under the impression that in that case also the papers were with me. I find, however, that I was mistaken in this respect, and I have now the honour, with many apologies for the trouble I am occasioning, to ask that your Lordship will allow me to be furnished with a copy of my Despatch to the Secretary of State, "Cape of Good Hope," No. 96, of the 27th September 1854, and of any Despatch which may have been addressed to the Governor of the Cape in reply or in reference to that Despatch, and to my Despatch to the Secretary of State, No. 112, Cape of Good Hope, of the 27th October 1854.

I have never seen the Secretary of State's Despatches; but I conclude that my proceedings could not have been disapproved, because immediately upon my return to England from the Cape, I was directed to proceed to Newfoundland, in order to establish Responsible Government in that Colony, instead of to Antigua, to which government I had been previously nominated.

I have, &c.
(signed) *C. H. Darling.*

— No. 64. —

No. 64.

Copy of a LETTER from the Right Honourable *C. B. Adderley*, M.P., to Sir *C. Darling*, K.C.B.

Right Hon. C. B. Adderley, M.P., to Sir C. Darling, K.C.B.

Downing-street, 4 March 1867.

4 March 1867.

Sir, (Answered, 7 March 1867, page 118.)

In answer to your letter of the 20th ultimo,* I am directed by the Earl of Carnarvon to inform you that he does not consider that he could properly furnish you with copies of the papers to which you refer, but that he will not object to the production of them, if moved for in Parliament.

* *Supra.*

I am, &c.
(signed) *C. B. Adderley.*

— No. 65. —

No. 65.

Copy of a LETTER from Sir *C. Darling*, K.C.B., to the Right Honourable the Earl of *Carnarvon*.

Sir C. Darling, K.C.B., to the Earl of Carnarvon.

Cheltenham, 7 Lansdown-place, 5, March 1867.

5 March 1867.

My Lord, (Answered, 7 March 1867, page 118.)

In acknowledging the receipt of Mr. Adderley's letter of yesterday's* date, I beg to say, that my object in asking to be furnished with a copy of the documents therein referred to, was to secure myself against inaccuracy in any

* *Supra.*

statement of my case which may be submitted to Parliament, and which may possibly precede a motion for papers.

I am in possession of the drafts of all my more important Despatches to the Secretary of State, in connection with my administration of the affairs of the Cape of Good Hope, and amongst them of my Despatch, No. 112, of 1854, in which the Despatch, No. 96, is largely referred to.

It is a mere accident that the draft of the last-named Despatch is not also amongst my papers, and I think I am justly entitled to any benefit which I might derive from a knowledge of the language of that document, in defending myself against the charges upon which your Lordship's predecessor based his plea for removing me from office; I therefore trust your Lordship will be pleased to reconsider your decision not to permit me to be furnished with a copy of my Despatch, No. 96.

I will at once withdraw my application for the copy of any Despatch which may have been written to the Governor of the Cape, in reply to or in reference to that Despatch; because, if such reply had contained remarks in censure or disapproval of my conduct, those remarks would surely have been communicated to me.

I have, &c.
(signed) *C. H. Darling.*

— No. 66. —

No. 66.

Right Hon. C. B. Adderley, M.P., to Sir C. Darling, K.C.B.
7 March 1867.
* Page 117.

COPY of a LETTER from the Right Honourable *C. B. Adderley*, M.P., to Sir *C. Darling*, K.C.B.

Sir, Downing-street, 7 March 1867.

I AM directed by the Earl of Carnarvon to acknowledge your letter of the 5th instant,* by which you limit the application conveyed in your previous letter, to a request to be supplied with a copy of your Despatch from the Cape of Good Hope, No. 96, of 27th September 1854. His Lordship is glad to be able to comply with your present request, and I am accordingly desired to enclose for your information, the copy which you desire to obtain.

No. 96. 27 Sept. 1854.

I am, &c.
(signed) *C. B. Adderley.*

Enclosure in No. 66.

Lieutenant Governor *Darling* to Sir *George Grey*.

(No. 96.)

Cape of Good Hope, Government House,
27 September 1854.

Sir,

Encl. in No. 66.

I AVAIL myself of the opportunity of a sailing vessel, "The Wild Sea Mew," which is appointed to leave Table Bay this afternoon, to acquaint you that I yesterday prorogued the Parliament, after having obtained the requisite Supplies for the service of the year 1855, and such further sums for the service of the present year as it had become necessary to ask for, to cover unforeseen or supplementary expenditure, and to enable the Government to commence without delay, the erection or repair of the prisons throughout the Colony.

2. I shall have the honour, by an early opportunity, of reporting in detail upon the business of the Session, and I therefore confine my present notice of it to the transmission of an account of the proceedings at the prorogation as published in one of the Cape Town journals, which contains an accurate report of the speech addressed by me to the Council and Assembly on the occasion.

3. I am confident that I shall be able fully to justify the terms in which I have referred to the assiduity, zeal, and good spirit towards the Government, which have marked the proceedings of those bodies.

4. You will perceive that I have adverted at some length to what I conceive to be the respective privileges of the Houses, in regard to money bills, and to the right of the Crown to withdraw a recommendation that a specific public service should be provided for;

for; I felt that this course was called for on my part; firstly, by the recent occurrence of a dispute, nearly amounting to a collision, between the two bodies, occasioned by the determination of the Assembly to resist the asserted right of the Council to increase an item of expenditure, or to restore, by way of amendment, provision for public services, which having been originally recommended by the Governor had been rejected by the Assembly; and secondly, by the virtual denial on the part of the Council of the right of the Governor to withdraw a recommendation once made.

5. The difference between the Council and Assembly had become reduced in fact to a single item; but as both bodies appeared determined to make this item the battle ground upon which to contest the principle in dispute, and the passage of the Supply Bill for 1855 was thus seriously endangered, while the service for which that item provided (the pay of road superintendents for the first six months of the year, 2,665 *l.*) was one which could be otherwise supplied without difficulty, I at once intimated to both Houses that I withdrew the recommendation for the service in question, which at that time stood as an amendment proposed by the Council to the Assembly. The Council, disregarding this intimation, pressed their amendment. The Assembly affirmed that, the Governor's recommendation having been withdrawn, they could not constitutionally concur in the amendment; and the Supply Bill was lost in the Council.

6. A prorogation of the Parliament, or even a dissolution of both Council and Assembly, appeared at one time inevitable, and was indeed expected by the public. Inconvenience, expense, and, as I conceive, discredit upon the Parliament, would have followed in a greater or less degree upon either of those courses. It fortunately occurred to me that as a Supplementary Supply Bill for the year 1855 was still unassented to, I might perhaps succeed in overcoming the difficulty by exercising the right of amendment which the Constitution confers upon the Crown. I therefore amended the Supplementary Supply Bill, by the insertion therein of every item in the last Bill which had been concurred in by both Houses, excluding every item which had been rejected, as well as that which had occasioned the loss of the Bill, and intimating at the same time to both Houses, that the services enumerated in the amended Bill were the only specific services for which I recommended provision to be made.

7. The Council thus deprived of any reasonable ground of objection to the amended Bill, the passing of which no longer involved the principle in dispute between that body and the Assembly, accepted the opportunity of averting the serious injury to the public interests which their former proceedings would have produced, and passed the Bill, when received from the Assembly, by whom it had been promptly carried through all its stages, immediately upon its transmission by the Government.

8. To this brief statement of the case, I only think it necessary at present to add that the principles which I have maintained in my address to the Council and Assembly are concurred in by all the members of the Executive Council, of whom the Attorney General is one, whose legal opinion I have also the honour to enclose, while the course pursued by the Council in resisting the right of the Governor to withdraw a recommendation under the circumstances, has been advocated and encouraged by the Chief Justice, as President of that body.

I have, &c.
(signed) *C. H. Darling,*
Lieutenant Governor.

The Right Honourable
Sir George Grey, Bart, G.C.B, M.P.,
&c. &c. &c.

VICTORIA.

COPY of CORRESPONDENCE respecting and arising from the Non-enactment of the APPROPRIATION ACT in *Victoria*, 1865, and the RECALL of the GOVERNOR of that COLONY.

(*Earl of Bective.*)

Ordered, by The House of Commons, *to be Printed*, 23 *May* 1867.

[*Price* 1 *s.* 4 *d.*]

310.

Under 16 *oz.*

ANTIGUA, MONTSERRAT, AND NEVIS.

ACCOUNT (pursuant to Act of 6 & 7 Vict. c. 63, intituled, "An Act for Granting Relief to the Islands of *Antigua, St. Kitts, Nevis, Dominica,* and *Montserrat*") of all SUMS ADVANCED to those Islands, and of all SUMS REPAID by reason of such Advances, with the INTEREST Paid thereon, during the Year ending 5 January 1867.

		Antigua.			Montserrat.			Nevis.		
		£.	s.	d.	£.	s.	d.	£.	s.	d.
Original Advances		100,000	–	–	23,000	–	–	12,000	–	–
Repaid to 5 January 1866		85,000	–	–	12,242	10	9	10,200	–	–
Amount outstanding on 5 January 1866		15,000	–	–	10,757	9	3	1,800	–	–
Principal repaid during the year to 5 January 1867		5,000	–	–	1,095	1	4	600	–	–
Balance outstanding on 5 January 1867	£.	10,000	–	–	9,662	7	11	1,200	–	–
Interest paid during the year to 5 January 1867	£.	487	10	–	299	–	–	39	–	–

Treasury Chambers,
11 February 1867.

GEORGE WARD HUNT.

TOBAGO, BRITISH GUIANA, AND TRINIDAD.

ACCOUNT (pursuant to Act 11 and 12 Vict. c. 22, intituled, "An Act for Granting Relief to the Island of *Tobago,* and for aiding the Colonies of *British Guiana* and *Trinidad* in raising Money for the promotion of Immigration of Free Labourers") of all SUMS ADVANCED to the said Islands or Colony, and of all SUMS REPAID by reason of such Advances, with the INTEREST Paid thereon, during the Year ending 5 January 1867.

		Tobago.			British Guiana.			Trinidad.		
		£.	s.	d.	£.	s.	d.	£.	s.	d.
Original Advances		20,000	–	–	70,000	–	–	64,073	–	8
Repaid to 5 January 1866		15,971	4	–	52,000	–	–	51,000	–	–
Amount outstanding on 5 January 1866		4,028	16	–	18,000	–	–	13,073	–	8
Principal repaid during the year ending 5 January 1867		442	5	3	7,000	–	–	- Nil.		
Balance outstanding on 5 January 1867	£.	3,586	10	9	11,000	–	–	13,073	–	8
Interest paid during the year to 5 January 1867	£.	Nil	-	-	720	–	–	522	18	4

Treasury Chambers,
11 February 1867.

GEORGE WARD HUNT.

WEST INDIA ISLANDS, &c., RELIEF.

ACCOUNT (pursuant to Act 6 & 7 Vict. c. 63) of all Sums Advanced to the Islands of *Antigua*, *Montserrat*, and *Nevis*, and of all Sums Repaid by reason of such Advances, with the Interest Paid thereon during the Year ending 5 January 1867; and similar Account (pursuant to Act 11 & 12 Vict. c. 22) for *Tobago*, *British Guiana*, and *Trinidad*.

(*Presented pursuant to Acts of Parliament.*)

Ordered, by The House of Commons, *to be Printed*,
13 *February* 1867.

674

ECCLESIASTICAL ESTABLISHMENT (WEST INDIES).

RETURN to an Address of the Honourable The House of Commons, dated 11 June 1866;—*for*,

"RETURN of the Names, Offices, and Salaries, respectively, of the Persons who participate in the Payments out of the CONSOLIDATED FUND in respect of the ECCLESIASTICAL ESTABLISHMENT in the *West Indies*, with any additional Sum paid to any of them out of the COLONIAL REVENUE, and for what Service."

Colonial Office,
15 February 1867.

C. B. ADDERLEY.

(Mr. Mills.)

Ordered, by The House of Commons, *to be Printed*,
18 *February* 1867.

SCHEDULE.

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RETURN of the Names, Offices, and Salaries, respectively, of the Persons who participate in the Payments out of the CONSOLIDATED FUND in respect of the ECCLESIASTICAL ESTABLISHMENT in the *West Indies*, with any additional Sum paid to any of them out of the COLONIAL REVENUE, and for what Service.

No. 1.

JAMAICA.

NAME.	OFFICE.	Salary from Consolidated Fund.	Additional Sum from Colonial Revenue.	REMARKS.
		£.	£.	
Reginald Courtenay - -	Bishop of Kingston	1,600	- - -	Paid by the Bishop of Jamaica out of 3,000 *l.* from Consolidated Fund.*
" " - -	Archdeacon of Middlesex.	800	—	
Joseph Williams - -	Acting Archdeacon of Middlesex.	200	626 Rector, St. Catherine	The sum of 400 *l.* in brackets is paid by the Bishop of Kingston out of the 800 *l.* named as his salary as Archdeacon of Middlesex, thus leaving him an income of 2,000 *l.* a year.
Duncan H. Campbell -	Ecclesiastical Commissary.	100	762 Rector, Kingston	
George B. Brooks - -	Bishop's Secretary -	100	—	
Thomas Stewart - -	Archdeacon of Surrey	600	340 Island Curate, St. Andrew.	Each Archdeacon is required to maintain a curate, whose stipends average somewhat under 200 *l.* a year each.
William Rowe - - -	Archdeacon of Cornwall.	600	340 Island Curate, Trelawney.	
George B. Brooks - -	Stipendiary Curate -	300	—	
James Gayleard - -	" "	200	—	
John L. Mais - - -	" "	100	—	
Charles Angell - -	" "	150	150	The Colonial Government provides a sum of 1,500 *l.* a year for the payment of the part stipend of ten stipendiary curates.
Whittred H. Ingle - -	" "	150	150	
Charles M. Magnan - -	" "	150	150	
Henry M. F. M'Dermot -	" "	150	150	
Horatio Rees Webbe -	" "	150	150	
Arthur H. Seymour - -	" "	150	150	
Edward Barsett Key - -	" "	150	150	
	" "	150	150	This sum is provided for the curacy of St. Albans and Mount Hermon, vacant at present.
Julius A. Garcia del Rio -	" "	75	150	
James E. Miller - -	" "	25	150	
Caleb Whitefoord† - -	" "	100	—	†Since deceased.
	Catechists -	100	—	The expenditure of this sum is accounted for annually, and the particulars are forwarded to the Treasury.

I hereby certify that the above Return has been prepared by me, and examined and approved by the Bishop of Kingston.

4 September 1866.

G. B. Brooks, Bishop's Secretary.

* *Note.*—That is to say, the Bishop of Jamaica, who has retired from ill health, received 1,400 *l.*, and the coadjutor Bishop of Kingston 1,600 *l.* out of the 3,000 *l.* allotted to the Bishopric of Jamaica.

No. 2.

BRITISH HONDURAS.

Lieutenant Governor, in a Despatch, of the 27th October 1866, states, that no payments are made out of the Consolidated Fund to persons resident in British Honduras in respect of the Ecclesiastical Establishment in the West Indies.

No 3.

TURKS ISLANDS.

(No Returns received.)

No. 4.

BRITISH GUIANA.

Names.	Offices.	Colony.	Imperial Treasury.	Remarks.
		£. s.	£.	
The Venerable H. H. Jones	Rector and Archdeacon	900 –	100	For two years only, and to cease next year; given in consideration of great expenses incurred by the Rector.
Rev. F. W. Austin - -	Curate of St. George's	300 –	175	
Rev. R. L. Webber - -	Incumbent of St. Philip's	400 –	300	Warden of the Bishop's College.
Rev. A. S. Tanner - -	Chaplain of Gaol -	62 10	200	Curate of Lodge; receives 100 *l.* additional from private sources.
Rev. F. J. Wyatt - -	Rector of New Amsterdam.	500 –	150	For serving with his curate the Chapelries of All Souls, and other outlying districts.
Rev G. H. Brett - -	Curate - - -	300 –	100	
Rev. W. J. Veness - -	Curate - - -	300 –	50	Derives 100 *l.* per annum, in addition, from private sources.
E. H. Bhose, Missionary -	Missionary to East Indian Immigrants.	300 –	25	For travelling expenses, and 25 *l.* for the same purpose from the Church Society.
			1,100	
The Right Rev. W. P. Austin, D.D.	Lord Bishop of the Diocese.	- nil -	2,000	
		£.	3,100	

N.B.—The following provision is made out of the Colonial Revenues for the maintenance of the Ministers of Religion :—

	£.	s.	d.
Church of England - - - - - -	10,133	6	8
Church of Scotland - - - - - -	5,116	13	4
Roman Catholic Church - - - - -	2,500	–	–
Wesleyan Missionary Society - - - -	833	6	8
£.	18,583	6	8

Compiled by Augustus Frederick Gore, Assistant Government Secretary.

Government Secretary's Office,
22 August 1866.

No. 5.

BAHAMAS.

NAME.	Sum Paid out of Consolidated Fund.	Additional Sum Paid by the Colony.	For what Service.
	£. s. d.	£. s. d.	
A. R. P. Venables, D.D.	1,000 – –	80 – –	House Rent.
Lord Bishop of Nassau	– – –	45 – –	Travelling Expenses.
William Strachan, late Rector of Parish of Christ Church, New Providence.	46 13 4	250 – –	Pension.

Nassau, New Providence,
18 August 1866.

C. R. Nesbitt,
Colonial Secretary.

DIOCESE OF BARBADOS.

STATION AND NAME.	OFFICE.	Annual Allowances from the Consolidated Fund.	Annual Salary and Allowances from the Colony.	Annual Salary or Allowances from other Sources.
No. 6.—BARBADOS:		£. s. d.	£. s. d.	£. s. d.
I. Salaries of the Bishop and Archdeacons:				
The Right Rev. T. Parry, D.D.	Bishop of Barbados	2,500 – –	Residence	nil.
The Ven. H. H. Parry, M.A.	Archdeacon of Barbados	500 – –	nil	,,
The Ven. G. Cummins, M.A.	Archdeacon of Trinidad	250 – –	500 – –	,,
II. Allowances to Clergy and Catechists from the Grant placed at the Bishop's disposal:				
Rev. G. M. Clinckett (*b*)	District Curate	50 – –	200 – –	a house.
,, G. Sisnett (*b*)	Assistant Curate	50 – –	200 – –	nil.
,, T. Rowe (*a*)	ditto, and Chaplain to Prisons	50 – –	300 – –	,,
,, J. A. Beckles	Assistant Curate	100 – –	–	100 – –
,, E. G. Sinckler (*b*)	District Curate	100 – –	200 – –	25 – –
,, H. B. Skeete (*b*)	ditto	50 – –	200 – –	nil.
,, E. P. Smith (*a*)	Assistant Curate	75 – –	–	150 – –
Mr. Hartin	Reader and Parochial Schoolmaster.	50 – –	–	
No. 7.—ST. VINCENT:				
Rev. H. W. Laborde, Rural Dean (*a*)	Rector of St. Andrew's and St. George's.	50 – –	516 13 4	nil.
,, C. L. Petersen (*b*)	District Curate	50 – –	150 – –	,,
,, W. S. Burgess (*b*)	ditto	50 – –	150 – –	,,
,, J. W. Matthews (*b*)	ditto	50 – –	200 – –	,,
,, E. L. Smith (*b*)	ditto	50 – –	250 – –	,,
,, L. A. Taitt	Assistant Curate and Master of Grammar School.	100 – –	–	
No. 8.—ST. LUCIA:				
Rev. E. J. Hawkins (*b*)	District Minister	100 – –	200 – –	nil.
,, J. Semper (*b*)	ditto	100 – –	200 – –	,,
Carried forward £.		4,325 – –	3,266 13 4	275 – –

DIOCESE OF BARBADOS—*continued.*

STATION AND NAME.	OFFICE.	Annual Allowances from the Consolidated Fund.	Annual Salary and Allowances from the Colony.	Annual Salary or Allowances from other Sources.
II. Allowances to Clergy and Catechists from the Grant placed at the Bishop's disposal—*continued.*		£. s. d.	£. s. d.	£. s. d.
Brought forward		4,325 – –	3,266 13 4	275 – –
No. 9.—TRINIDAD:*				
Rev. W. M. Arrindell (*b*)	Assistant Curate	100 – –	150 – –	75 – –
„ H. G. Wall (*b*)	District Curate	50 – –	220 16 8	nil.
„ H. Richards (*a*)	Rector of St. Mary's	50 – –	370 – –	„
„ R. J. Rock	District Curate	50 – –	150 – –	a house.
Mr. W. W. Jamieson	Reader	100 – –	– –	nil.
Mr. T. G. Graham	Reader and Schoolmaster	50 – –	– –	
No. 10.—GRENADA.				
Rev. R. F. Berkeley, Rural Dean (*a*)	Rector of St. John & St. Mark's	50 – –	264 – –	nil.
„ W. C. Watson (*b*)	District Curate	100 – –	130 – –	„
„ C. Wood	ditto	200 – –	30 – –	„
No. 11.—TOBAGO.				
Rev. W. B. Laurie, Rural Dean (*a*)	Rector of St. Andrew's	50 – –	320 – –	„
Mr. J. W. McKell	Reader	50 – –	– –	
Mr. Frederick	ditto	75 – –	– –	nil.
TOTALS:—31 Persons		5,250 – –	4,901 10 –	350 – –

* The following return was received from the Administrator of the Government of Trinidad in a Despatch dated 23rd August 1866. As there appears to be a discrepancy in the two returns both are printed.

NAME.	OFFICE.	Salary from Imperial Funds.	Salary from Colonial Funds.	Allowances from Colonial Funds.
		£. s. d.	£. s. d.	£. s. d.
George Cummins	Archdeacon	250 – –	500 – –	—
	Island Curate	– –	150 – –	50 – –
Henry Richards	Rector	50 – –	350 – –	20 – –
William D. Arrindell†	Assistant Curate	100 – –	100 – –	50 – –
	Chaplain to the Royal Gaol	– –	50 – –	—
H. G. Wall	Curate	50 – –	100 – –	50 – –
	Chaplain to the Colonial Hospital and Lunatic Asylum.	– –	70 16 8	—
R. J. Rock	Assistant Curate	50 – –	100 – –	50 – –
— Jameson	Reader	100 – –	nil	—
F. G. Graham	Reader	50 – –	nil	—

† Mr. Arrindell also receives pay and allowances as Chaplain to Her Majesty's Forces.

DIOCESE OF BARBADOS—*continued.*

REMARKS.

I. The allowances received from the Consolidated Fund by the above-named clergy and catechists constitute, in some few cases, the whole salary attached to their respective offices. But in the majority of cases they are additional to the salaries and allowances received from the Colonial revenue, being either (*a*) in remuneration for some important additional services, as in the case of Rural Deans, or of a Minister in charge of a parish adjoining to his own, where only a Reader is stationed; or else (*b*) supplemental to the Colonial allowance, where that allowance is insufficient, the Colonial provision being in fact, in some instances, intended as a part provision, and conditional upon some such allowance from the Bishop.

II. The above statement of annual salary and allowances to clergy from the Colonial Treasury has reference only to the case of those clergymen who at the present time are in receipt of allowances from the Consolidated Fund. The following is a tabular view of the whole amount of the provision made for the annual salaries of the clergy of the Church of England by the Legislatures of the different colonies comprised in the diocese of Barbados:—

COLONIES.	Archdeacon.	Rectors.		Island Curates.		Assistant Curates.		Total.	
			£.		£.		£.		£.
Barbados	- -	11 *a*	3,520	-	-	27 *a* 1 *a*	5,400 300*	39 *a*	9,220
St. Vincent	- -	4 *a*	1,200	1 *a*	200	3 *a*	450	8 *a*	1,850
St. Lucia	- -	-	-	2 *a*	400	-	-	2 *a*	400
Trinidad	1 *a* 500 *l.* -	7 *a*	2,700	5 *a*	1,100	4 *a*	620	17 *a*	4,920
Grenada	- -	5 *a*	1,300	-	-	2 *a*	330	7 *a*	1,630
Tobago	- -	3 *a*	960	-	-	1 *a*	100	4 *a*	1,060
Totals - - -	1 *a* 500 *l.* -	30 *a*	9,680	8 *a*	1,700	37 *a*	7,200	77 *a*	19,050

N.B.—The whole number of the clergy of the diocese is 86.

* Gaol Chaplain.

Extract from a Despatch from Governor *Walker* to the Earl of *Carnarvon*, dated Barbados, 9 October 1866.

"This Return has been prepared by the Vicar General, by whom, in the absence of the Bishop, the Parliamentary Grant is administered, without communication of any sort with the Civil Government. The Vicar General has, at my request, added to the return a statement of the total amount of the provision made in the several colonies from local funds for the support of the Clergy of the Church of England."

DIOCESE OF ANTIGUA.

Name.	Office.	Salary per Annum.	Additional Sum from Colonial Revenue.	
			Amount per Annum.	For what Service.
No. 12.—ANTIGUA.		£. s. d.	£. s. d.	
Wm. Walrond Jackson, D.D.	Bishop of Antigua	2,000 – –	- nil.	
George Clarke, M.A.	Archdeacon of Antigua	500 – –	- nil.	
Geo. Meade Gibbs, M.A.	Archdeacon of St. Kitt's	250 – –	312 10 –	Rector of St. George's, Basseterre, St. Kitt's.
	£.	2,750 – –		
Rev. M. J. Drinkwater	Curate of St. Mary's	75 – –	150 – –	Curate of Bermudian Valley, St. Mary's.
Rev. A. H. Culpeper	Curate of St. Philip's	75 – –	150 – –	- ditto of St. Stephen's District, St. Philip's.
Rev. Geo. Edw. Yeo	Curate of St. Peter's	25 – –	150 – –	- ditto of St. Peter's.
F. F. Mercier	Reader and Schoolmaster	60 – –	15 – –	Teacher of St. John's Parochial School.
S. R. Carter	Schoolmaster	15 – –	15 – –	- ditto - ditto (Infants and Girls).
J. A. T. Michael	- ditto	22 – –	15 – –	- ditto of St. James's Parochial School.
C. H Daniell	- ditto	20 – –	18 – –	- ditto of All Saints' Parochial School.
T. A. Fraser	- ditto	22 – –	24 – –	- ditto of St. Peter's Parochial School.
G. W. Crichton	- ditto	24 – –	15 – –	- ditto of English Harbour School.
C. T. Joseph	- ditto	6 – –	13 6 –	- ditto of St. Barnabas' Parochial School.
C. Bolton	- ditto	15 – –	13 6 8	- ditto of St. Mary's Parochial School.
Wm. D. Austin	- ditto	12 – –	12 – –	- ditto of Valley Parochial School, St. Mary's.
Wm. Newby	- ditto	10 – –	12 10 –	- ditto of Darby's Parochial School, St. Mary's.
No. 13.—DOMINICA.				
Robert Yankee	Schoolmaster, Roseau	40 – –	- nil.	
Mary Dufrayer	Schoolmistress, Roseau	40 – –	- nil.	
No. 14.—MONTSERRAT.				
Rev. Geo. Henry Todd	Clergyman	40 – –	180 – –	Rector of St. Anthony's and St. Patrick's.
Henry S. Palmer	Reader and Catechist	30 – –	- nil.	
Mary J. Chalmers	Schoolmistress	18 – –	- nil -	Teacher of St. Peter's Parochial School.
W. C. Weston	Schoolmaster	30 – –	- nil -	- ditto of Plymouth Parochial School.
Eliza Wyke	Schoolmistress	10 – –	- nil -	Assistant teacher and sewing mistress in do.
Mary Hamilton	- ditto	20 – –	- nil -	Teacher of Kinsale Parochial School.
No. 15.—ST. KITT'S.				
G. C. Denbow	Shoolmaster	25 – –	25 – –	Teacher, St. George's Parochial School, Basseterre.
Margt. A. Fleming	Schoolmistress	20 – –	10 – –	Teacher, Salt Ponds' Parochial School.
No. 16.—NEVIS.				
A. H. Salmon	Schoolmaster	18 – –	- nil -	Teacher, Charlestown Parochial School.
Mary E. O'Daniel	Schoolmistress	18 – –	- nil -	- ditto ditto ditto (Girls).
No. 17.—ANGUILLA.				
Henry Warneford	Clergyman	160 – –	12 – –	Minister of Anguilla.
S. E. Arthur	Schoolmaster	22 10 –	12 10 –	Teacher of the Valley Parochial School.
Mary Lloyd	Schoolmistress	14 3 4	7 – –	Assistant ditto, and sewing mistress in ditto.
Anna M. Carty	- ditto	3 6 8	- nil -	Teacher of West End Parochial School.
No. 18.—VIRGIN ISLANDS.				
G. R. Chaplyn, M.A.	Clergyman	160 – –	100 – –	Minister of the Virgin Islands.
C. W. Shirley	Reader and Catechist	30 – –	- nil -	Reader and Catechist, Kingstown.
H. R. Semper	Schoolmaster	20 – –	10 – –	Schoolmaster, Virgin Gorda.
	£.	1,100 – –		

The above Return was forwarded to the Earl of Carnarvon by Lieutenant Governor Sir B. C. C. Pine, in a Despatch, dated Antigua, 8th of August 1866.

ECCLESIASTICAL ESTABLISHMENT (WEST INDIES.)

RETURN of the Names, Offices, and Salaries, respectively, of the Persons who participate in the PAYMENTS out of the CONSOLIDATED FUND in respect of the ECCLESIASTICAL ESTABLISHMENT in the WEST INDIES, with any additional Sum paid to any of them out of the COLONIAL REVENUE, and for what purpose.

(*Mr. Mills.*)

Ordered, by The House of Commons, *to be Printed,*
18 *February* 1867.

Under 1 *oz.*

WEST INDIA COLONIES.

RETURN to an Address of the Honourable The House of Commons, dated 28 March 1867;—*for*,

"RETURN of the SUMS paid out of the COLONIAL REVENUES of the different WEST INDIA COLONIES for RELIGIOUS PURPOSES in the Years 1864 and 1865; specifying the Amount given to each Religious Denomination:"

"And, COPY or EXTRACTS of the COLONIAL ACTS or ORDINANCES under which such PAYMENTS are made."

Colonial Office,
9 May 1867.

C. B. ADDERLEY.

(*Mr. William Edward Forster.*)

Ordered, by The House of Commons, *to be Printed*,
10 *May* 1867.

RETURN of PROVISION out of WEST INDIAN COLONIAL REVENUES for RELIGIOUS PURPOSES, inclusive of Fixed Expenditure and Contingent Expenditure.

1864.						COLONY.	1865.						
Other Denominations.			Church of England.		Total.		Total.		Church of England.		Other Denominations.		
	£.	s.	d.	£. s. d.	£. s. d.		£.	s. d.	£.	s. d.	£.	s. d.	
				28,840 12 8	28,840 12 8	Jamaica * - - - -	29,365	4 4	29,365	4 4			
				9,790 17 1½	9,790 17 1½	Barbados - - - -	9,383	6 7½	9,383	6 7½			
Presbyterian - - - -	264	–	–	2,028 13 3	2,292 13 3	Grenada - - - -	2,349	3 4	2,085	3 4	264	– –	Presbyterian.
Church of Rome - - -	778	10	3	400 – –	1,178 10 3	St. Lucia - - - -	1,018	4 3	400	– –	618	4 3	Church of Rome.
Presbyterian - - - -	300	–	–	1,957 10 3	2,257 10 3	St Vincent - - - -	2,434	16 2	2,134	16 2	300	– –	Presbyterian.
				960 – –	960 – –	Tobago - - - -	960	– –	960	– –			
Church of Rome - - -	4,661	–	2	5,428 18 10	10,089 19 –	Trinidad - - - -	10,359	8 4	5,490	8 10	4,868	19 6	Church of Rome.
				3,235 7 8	3,235 7 8	Antigua - - - -	4,597	13 3	4,597	13 3			
				327 19 8	327 19 8	Dominica - - - -	340	12 –	340	12 –			
				337 15 6	337 15 6	Montserrat - - - -	387	15 6	387	15 6			
				611 1 1	611 1 1	Nevis - - - - -	906	13 –	906	13 –			
				1,873 10 –	1,873 10 –	St. Christopher - - -	1,873	10 2	1,873	10 2			
				91 13 3	91 13 3	Virgin Islands - - -	108	6 8	108	6 8			
Presbyterian - - - -	300	–	–	5,430 12 5	5,730 12 5	Bahamas - - - -	4,267	7 8	3,967	7 8	300	– –	Presbyterian.
Wesleyan - - - -	70	–	–	718 – –	788 – –	Turks Islands - - -	395	15 8½	395	15 8½			
					18,211 15 9	British Guiana † - - -	18,382	4 1	—				
Presbyterian - - - -	300	–	–	1,246 16 –	1,546 16 –	British Honduras - - -	1,544	12 7	1,244	12 7	300	– –	Presbyterian.

* Exclusive of certain parochial ecclesiastical charges, said to have amounted to about 8,500 *l.*, in each of the years 1864 and 1865, and to about 6,900 *l.* in 1866, but which from the 1st of January 1867 will be thrown upon the congregations.

† By British Guiana Ordinance 10, of 1859, 18,583 *l.* 6 *s.* 8 *d.* is provided for religious purposes for nine years, from 1st January 1860, viz.:—Church of England, 10,133 *l.* 6 *s.* 8 *d.*; Church of Scotland, 5,116 *l.* 13 *s.* 4 *d.*; Church of Rome, 2,500 *l.*; Wesleyan, 833 *l.* 6 *s.* 8 *d.*

COLONIAL ACTS or ORDINANCES under which the fixed Ecclesiastical Expenditure from Colonial Funds is provided.

Note.—Only the Titles of the undermentioned Acts are printed, as the Acts and Ordinances are deposited in the Library of the House of Commons.

	JAMAICA.
19 Vict. c. 6 -	An Act further to reduce the Salaries of the Clergy payable out of the Public Treasury, and to provide for the Payment of such reduced Salaries for a Term of Fourteen Years.
22 Vict. c. 23 -	An Act to consolidate and amend the Laws relating to the Clergy of this Island.
25 Vict. c. 36 -	An Act to readjust the Stipends of the Rectors and Island Curates who dissented from the Provisions of the Act of the 19th Vict. c. 6.
28 Vict. c. 43 -	An Act to amend the Laws relating to the Clergy.
	BRITISH GUIANA.
No 10, of 1859 -	An Ordinance to provide for the Maintenance of Ministers of the Christian Religion in the Colony of British Guiana.
	TURKS ISLANDS.
No. 7, of 1855 -	An Ordinance to consolidate and amend the several Laws at present in force regulating the Division of Parishes within these Islands; the Election of Vestries within the same, and further to provide for the future Management of Parochial Affairs.
No. 7, of 1860 -	An Ordinance to provide Assistance in aid of the Establishment of a resident Wesleyan Methodist Minister at Salt Cay.
No. 10, of 1866 -	An Ordinance to provide a Civil List for the Turks and Caicos Islands.
	BAHAMAS.
10 Vict. c. 1 -	An Act to establish a System of Popular Education and Training.
26 Vict. c. 19 -	An Act to provide a more Equitable Scale of Remuneration for the superior Ecclesiastical Officers of the Colony.
27 Vict. c. 14 -	An Act to amend the Parochial Laws of the Colony.
29 Vict. c. 24 -	An Act for granting a Sum of Money to the Lord Bishop of the Diocese in aid of the Stipends of certain Clergymen.
	BRITISH HONDURAS.
19 Vict. c. 5 -	An Act to provide Assistance towards the Payment of a Missionary for the Northern District.
20 Vict. c. 8 -	An Act relating to the Established Churches of the Settlement.
24 Vict. c. 3 -	An Act to amend "An Act to provide Assistance towards the Payment of a Missionary for the Northern District."
	BARBADOS.
21 March 1826 -	An Act to increase the Stipends of the Beneficed Clergy of this Island.
17 Dec. 1862 -	An Act to make Provision for the Stipends of the Curates of the Established Church in this Island.

	TRINIDAD.
No. 16, of 1844 -	An Ordinance for the better Regulation of the Duties of the Clergy of the United Church of England and Ireland in this Colony, and for ensuring the more effectual Performance of the same.*
	GRENADA.
No. 37, of 1807 -	An Act to repeal "An Act for providing a Support for the Clergy of these Islands;" "An Act to supply the Defects of former Parish Registers, to compel the Due and Orderly Keeping thereof in future, to prevent the Celebration of Marriage otherwise than is therein directed, and to prescribe how Persons professing the Roman Catholic Religion may have their Baptisms, Marriages, and Burials duly entered in the Parish Registers of the Established Church"; and "An Act to amend so much of an Act entitled 'An Act providing a Support for the Clergy of these Islands as relates to the Town and Parish of St. George', and to provide a Support for the Clergy of this Government, and other Purposes."
No. 54, of 1826 -	An Act to declare the Ecclesiastical Laws and Canons now in force in England, in so far as they relate to the Ecclesiastical Regimen of the Clergy in force in these Islands.
No. 76, of 1833	An Act to alter and amend an Act of these Islands, commonly called "The Clergy Act," so far as the same relates to the Time of the Publication of Banns of Marriage, and for other Purposes.
	ST. VINCENT.
No. 16, of 1818 -	An Act to confirm a certain Contract or Agreement made and entered into by and between the Rev. John Guilding, Rector of the Parish of St. George, in the Island of St. Vincent, with the License and Consent of the Governor and Ordinary of the said Island, and the Commissioners appointed by an Act of the Legislature for Building Churches, for the Purchase of Glebe Land in the Town of Kingstown, for the Purpose of enlarging and extending the Churchyard in the said Parish, and for vesting the said Land in certain Persons therein named for the Purpose aforesaid, and to settle an Annuity or Annual Sum of 400 *l.* Currency upon the said John Guilding, and the Rector of the said Parish for the Time being, in lieu of the said Glebe, and of a Parsonage House.
No. 35, of 1840 -	An Act for granting a Salary to a Curate for Charlotte Parish.
No. 36, of 1840 -	An Act for granting a Salary to a Curate for the Parishes of St. Patrick and St. David.
No. 38, of 1840 -	An Act for providing a Salary for the Rector of Bequia and Grenadines.
No. 64, of 1845 -	An Act to make Provision, by way of House Rent, for the several Curates of the respective Parishes of this Island; and to grant an Annual Sum in aid of a Stipend for a Curate of St. Andrew's Parish.
No. 86, of 1851 -	An Act to regulate Vestries in the Island of St. Vincent and its Dependencies; to repeal a certain Act of the Legislature, entitled "An Act for regulating the Vestries in this Island, empowering them to raise Taxes within their respective Parishes, and directing the Application of the same, and to fix certain Fees"; and part of an Act to provide for the Care of the Public Register of Marriages, Baptisms, and Burials, and to make the same a Public Record; and to settle the Fees payable to the Rector of St. George and St. Andrew.
No. 92, of 1853 -	An Act to amend and extend the Provisions of an Act, intituled "An Act to make Provisions, by way of House Rent, for the several Curates of the respective Parishes of this Island, and to grant an Annual Sum in aid of a Stipend for a Curate for St. Andrew's Parish"; and the Assistant Curate of Charlotte Parish.

* Provision for the Roman Catholic Clergy has been made in the Annual Estimates. The Articles of Capitulation secured the free exercise of their Religion to the Inhabitants.

	ST. VINCENT—*continued.*
No. 114, of 1855	An Act to separate the District and Chapelry of St. Paul from the Rectory of the United Parishes of St. George and St. Andrew, and to constitute and erect the same into a Perpetual and Independent Island Curacy, and to make Provision for the Curate thereof.
No. 115, of 1855	An Act to grant a Stipend to the Rev. Horatio William Laborde as Rector of the United Parishes of St. George and St. Andrew, and as Chaplain of the Gaol in Kingstown.
No. 122, of 1856	An Act to make Provision for the future Rector of the United Parishes of St. George and St. Andrew, and his Successors, Rectors of the said Parishes.
No. 125, of 1856	An Act to make Provision for the future Rectors of the United Parishes of St. Patrick and St. David, and to repeal an Act, intituled "An Act to grant a Sum of Money to the Rector of St. Patrick and St. David to defray House Rent."
No. 127, of 1856	An Act to repeal an Act, intituled "An Act for providing a Salary for the Rector of Bequia and the Grenadines," to constitute the Living of the said Island of Bequia and the Grenadines a Perpetual Curacy, and to provide for the Curate thereof.
No. 128, of 1856	An Act to make Provision for the future Rectors of Charlotte Parish.
No. 129, of 1856	An Act for granting a Stipend to the Rev. Horatio Nelson Huggins, as Perpetual and Independent Curate of the District and Chapelry of St. Paul.
No. 796, of 1863	An Act to provide a Salary for the Rev. Daniel M'Lean.
	ST. LUCIA.
No. 3, of 1866 -	An Ordinance for fixing Rates and Duties to be raised for the Public Service of the Year 1867, and for appropriating the same.
	TOBAGO.
28 Vict. c. 11 -	An Act to appropriate the Revenue of the Year 1864 towards defraying the Expenditure of the Civil Government.
	ANTIGUA.
No. 75, of 1840 -	An Act to assist in providing a sufficient Stipend for the Minister of All Saints' Chapel, and to authorise the Lord Bishop of the Diocese to appoint a certain Ecclesiastical District around it.
No. 167, of 1861 -	An Act to provide Pastoral Assistance for the Parish of St. John.
No. 173, of 1861 -	An Act to alter and amend an Act, entitled "An Act to assist in providing a sufficient Stipend for the Minister of All Saints' Chapel, and to authorise the Lord Bishop of the Diocese to appoint a certain Ecclesiastical District around it."
No. 174, of 1861 -	An Act to provide Pastoral Assistance for Parishes of St. Mary and St. Philip.
No. 858, of 1866 -	An Act to alter and amend an Act, entitled "An Act to alter and amend an Act to assist in providing a sufficient Stipend for the Minister of All Saints' Chapel, and to authorise the Lord Bishop of the Diocese to appoint a certain Ecclesiastical District around it."
	DOMINICA.
No. 23, of 1830 -	An Act to settle a Stipend on the Rev. George Clarke, lately presented to the Rectory and Living of the Town of Roseau, and the Parish of St. George in this Island, to require the Rector to keep a fair Register of all Births, Marriages, and Burials of Protestants; for establishing the Fees for the Performance of certain Spiritual Duties; for authorising the Appointment of a Parochial Clerk and Sexton, regulating his Duties, and establishing his Fees.

	DOMINICA—*continued.*
No. 83, of 1844 -	An Act to extend the application of an Act, passed on the 11th day of February 1830, entitled "An Act to settle a Stipend on the Rev. George Clarke, lately presented to the Rectory and Living of the Town of Roseau, and the Parish of St. George in this Island, to require the Rector to keep a fair Register of all Births, Marriages, and Burials of Protestants; for establishing the Fees for the Performance of certain Spiritual Duties; for authorising the Appointment of a Parochial Clerk and Sexton; for regulating his Duties and establishing his Fees, and to increase the Salary fixed for the Rector under the said Act."
	ST. CHRISTOPHER.
No. 95 of 1850 -	An Act to abolish Parochial Vestries; to consolidate Benefices, and to provide for the Payment of the Stipends of the Clergy, by a Tax upon Exports, and upon certain Rentals.
	NEVIS.
No. 38 of 1840 -	An Act to declare and settle the Stipends of the several Rectors or Officiating Ministers of the several Parishes of this Island, and the Salaries of the Clerks and Sextons of such Parishes.
	MONTSERRAT.
No. 6 of 1668 -	An Act for the raising a Maintenance for a Preaching Minister.
	VIRGIN ISLANDS.
	Under Annual Appropriation Acts.

WEST INDIA COLONIES.

RETURN of the Sums paid out of the Colonial Revenues of the different West India Colonies for Religious Purposes in the Years 1864 and 1865, specifying the Amount given to each Religious Denomination; and, Copy or Extracts of the Colonial Acts or Ordinances under which such Payments are made.

(*Mr. William Edward Forster.*)

Ordered, by The House of Commons, *to be Printed,*
10 *May* 1867.

282.

Under 1 *oz.*

WEST INDIES.

RETURN to an Address of the Honourable The House of Commons, dated 9 April 1867 ;—*for,*

"COPY of PAPERS relating to the State of various RELIGIOUS BODIES in the WEST INDIES, in return to a CIRCULAR issued to the GOVERNORS of the WEST INDIA COLONIES in 1864."

Colonial Office,
9 May 1867.

C. B. ADDERLEY.

(*Mr. Adderley.*)

Ordered, by The House of Commons, *to be Printed,*
10 *May* 1867.

SCHEDULE.

CIRCULAR DESPATCH to the Governors of the West India Colonies, 15 January 1864 - - - - - - - - - - page 3.

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1	JAMAICA	3
2	BRITISH HONDURAS	17
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COPY of PAPERS relating to the State of various RELIGIOUS BODIES in the WEST INDIES, in return to a CIRCULAR issued to the GOVERNORS of the WEST INDIA COLONIES in 1864.

CIRCULAR DESPATCH to GOVERNORS of WEST INDIA COLONIES.

Sir, Downing-street, 15 January 1864.

IT is probable that the question of continuing indefinitely, and at its present amount, the Vote for the Church of England in the West Indies will be raised during the approaching Session of Parliament, and I wish to be prepared with information on the following heads:

1. The population of each Colony.

2. The division of each population into Anglicans, Wesleyans, Baptists, Independents, Roman Catholics, Presbyterians, and other religious communions, if any, respectively.

3. Of the Anglicans, the number who are habitual communicants, the number of churches and chapels, the numbers who attend the ordinary services of the Church, the annual number of baptisms, confirmations, and marriages, the number of schools in connection with the churches, the average numbers who actually attend and are taught in the schools, distinguishing daily from Sunday schools.

4. The same particulars in respect of each of the other religious divisions, so far as they can be obtained.

5. Of the Anglican churches, chapels, and schools, how many are served or superintended by clergymen paid from the Parliamentary Grant, how many by clergymen paid from other funds.

6. What is the provision made by the local Legislatures respectively for the Anglican Church, and for the ministry of the other religious bodies respectively, and how far they are by permanent or by terminable grants.

I have to instruct you to communicate this despatch to the Bishop of the Diocese of , with a request that his Lordship would supply as ample information on each of the above heads as he may be able to afford; and you will be pleased to forward to me the result, with your own answers to the queries, with the least possible delay.

I am, &c.
(signed) *Newcastle.*

—No. 1.—

No. 1.
Jamaica.

JAMAICA.

(No. 71.)

COPY of a DESPATCH from Lieutenant Governor *Eyre* to His Grace the Duke of *Newcastle*, K. G.

Lieut.-Governor Eyre to His Grace the Duke of Newcastle, K.G.

My Lord Duke, King's House, 24 February 1864.

I HAD the honour to receive your Grace's circular Despatch of the 15th ultimo, directing me to obtain various information relative to the different religious bodies in this Colony, and to transmit the same with the least possible delay.

No. 1. Jamaica.

15.

2. Your Grace's Despatch reached me on the 6th instant, and the same day instructions were issued calling for the particulars required.

Some of these returns have only reached me to-day, just as the mail is about to be got ready for England; I have not, therefore, had time even to look into them, but at once forward them on, as their early arrival in England appears to be of pressing importance.

3. Under the circumstances, it is impossible for me personally to prepare, from the returns, answers to the queries contained in the Circular by the present packet, but as soon as it is gone I will have the returns scheduled, so as to enable me to report upon them by the next mail.

I must also ask your Grace to excuse the varying forms and sizes of the returns now transmitted. There was no time to copy them, and I have therefore had to transmit them exactly as they have reached me.

I have, &c.
(signed) *E. Eyre.*

SCHEDULE OF ENCLOSURES.

	Page.		Page.
1. Established Church	4	10. United Methodist Free Church	11
2. Church of Scotland	5	11. Jamaica Wesleyan Methodist Association, established by the late Rev. Thomas Pennock	11
3 Presbyterian Church	5	12. Moravian Mission	11
4. London Missionary Society	5	13. American Mission	12
5. Roman Catholic Church	6	14. English and German Jews	12
6. Jamaica Wesleyan Methodist Association	6	15. Spanish and Portuguese Jews	12
7. Independent Baptists	6		
8. Baptist Missionary Society	7		
9. Wesleyan Methodist Church	10		

(Enclosure 1.)

ECCLESIASTICAL RETURN for the CHURCH of ENGLAND, *Jamaica.*

1. The number of clergymen is [Of whom all, but one on his way hither, are now in this Island.]	90
2. The number of churches is Besides, there are some stations visited occasionally by clergymen on the Lord's Day, which, among other Denominations, would be counted as churches.	96
3. The number of persons attending is (Being recently somewhat increased.)	40,400
4. The church accommodation is	53,000
5. The number of day-schools is	108
6. The number of scholars, about (But the attendence is very irregular.)	11,000
7. The number of Sunday schools	[blank]
8. The number of baptisms	5,263
9. The number of marriages	933
10. The number of confirmations held in each year, about	45
11. The number of persons confirmed	2,250
12. The number of communicants	[blank]
13. There are 20 churches served by clergymen paid from the Consolidated Fund; or they may be called 17, as in three cases (the cathedral, the parish church of Kingston, and another) they assist resident incumbents	20 or 17
14. The churches served otherwise, 96 – 20 = 76	76 or 79
15. The island treasury maintains—	£.
22 Rectories, generally of 400 *l.* a-year	9,350
50 Island curates, at 340 *l.* a-year	17,000
10 Island stipendiaries, at 150 *l.* a-year	1,500
[Another moiety, raising the stipend to 300 *l.*, being paid by the Bishop from the Imperial treasury, or the Society for the Propagation of the Gospel, = 1,500 *l.*]	

(signed) *Reginald Kingston,*
Coadjutor.

(Enclosure 2.)

STATISTICS of the CHURCH of SCOTLAND.—*Jamaica.*

IN answer to the request of his Excellency the Lieutenant Governor, as contained in Circular 314, for information as to the Religious Statistics of the various Religious Bodies in Jamaica.

1. One church, in Kingston, the others having seceded to the Free Church in 1843.

2. About 350 or 400, chiefly of the intelligent and educated class.

3. About 230.

4. Baptisms, 16; marriages, about 12; confirmation, none.

5. Two schools: 1. Sunday, with an average attendance of about 100.—2. The Collegiate school, a large boarding and day-school, whose object, as designed, and in so many instances carried out, is to give an education similar to that in Great Britain, and to prepare for the army, the university, and for the merchant's office. The scholars number 98, 26 of whom are boarders: presided over by Rev. Mr. Milne, who is also assistant minister to me.

6. *See* previous answer.

7. I receive from the Legislature 367 *l.* 10 *s.*, as a portion of my stipend. This is by annual Vote. We do not ask anything for the Sunday school, as the church with which it is connected supports it, and of course we ask nothing for the Collegiate school.

(signed) *J. Radcliffe,*
Minister of the Church of Scotland,
Kingston, Jamaica.

Kingston,
11 February 1864.

(Enclosure 3.)

"Free Church."

The PRESBYTERIAN CHURCH of *Jamaica.*

1. Has 29 churches and chapels.

2. The ordinary services are attended by 10,000 persons.

3. Its communicants number 5,900.

4. Its annual baptisms, 340; marriages, 160. The rite of confirmation is not observed.

5. There are 40 week-day schools; 30 Sunday schools.

6. Actual or average attendance at week-day schools, 1730; Sunday schools, 5,080.

7. No provision is made by the Legislature, or asked or accepted from it, for the ministry or schools of the church.

9 February 1864. (signed) *William Gillies.*

(Enclosure 4.)

STATISTICS of the LONDON MISSIONARY SOCIETY, *Jamaica.*

The number of churches and chapels - - - - - - - -	23
The number who attend the ordinary services of the Church - - -	6,780
The number of communicants - - - - - - - -	2,181
The annual number of baptisms - - - - - - - -	210
Ditto - - - - marriages - - - - - - -	63
The number of schools in connection with the churches - - -	18
The average number who actually attend and are taught in the schools, distinguishing Daily from Sunday schools:—	
Day schools - - - - - - - - - -	1,108
Sunday schools - - - - - - - - -	2,400
What provision is made by the local Legislature for the ministry, or for schools in connection with your body; and is such provision permanent, terminable at fixed periods, or mere annual vote? - - - -	None.

Kingston, Jamaica,
22 February 1864.

W. J. Gardner.

No. 1.
Jamaica.

(Enclosure 5.)

ROMAN CATHOLIC CHURCH in *Jamaica*, from 1st January to 31st December 1863.

			Total.
Baptisms	Kingston, above Rocks, St. George's	497	
	Cornwall, and western part of Middlesex	96	
			593
Marriages	Kingston, above Rocks, St George's	35	
	Cornwall, and western part of Middlesex	9	
			44
Funerals	Kingston only		155

Kingston,
18 February 1864.

J. E. Dupeyron, V. A.

(Enclosure 6.)

STATISTICAL RETURN of the JAMAICA WESLEYAN METHODIST ASSOCIATION, for the Year ending 31st December 1863.

Number of Churches and Chapels.	Parish.	Places.	Number who Attend ordinary Services of the Chapels.	Number of Communicants.	Annual Number of Baptisms, Confirmations,* and Marriages.		Number of Schools in connection with the Churches.		Number who Attend and are Taught in the Day School.	Annual Vote by the Local Legislature, whether for School or Ministry.	
					Baptisms.	Marriages.	Sabbath.†	Day.		School.	Ministry.
1	Kingston	Kingston	500	350	18	3	None	1	78	£. s. d. 10 – –	None.
1	St. Andrew's	Stoney Hill	300	150	16	1	None	1	40		
1	Ditto	Red Hills	100	45	7	–	None	–	– –		
1	St. David's	Bethesda	100	25	5	–	None	–	– –		
4			1,000	570	46	4	–	2	118	10 – –	

* Wesleyans do not confirm.

† No Sabbath schools at present.

Jas. F. Roach, General Superintendent.

(Enclosure 7.)

INDEPENDENT BAPTISTS.

1. The principal chapels, the others being out stations, are the Independent Baptist Chapel, situated in White Church-street, Spanish Town, and the Baptist Chapel, Old Harbour Bay, both of which are under my personal ministry. The dependent chapels on these two principal stations are St. Faith's in St. John's, and Roswell in Clarendon.

2. The numbers ordinarily attending the public services are computed as follows:—

Spanish Town	800
Old Harbour Bay	600
St. Faith's	300
Roswell	400

3. Spanish Town has 800 communicants. All the members, recording themselves as members, are communicants. The denomination being "Particular Baptists," the children who may attend service with their parents are not counted.

Old Harbour Bay has 450 communicants.

St. Faith's has 30 communicants.

The Roswell communicants attend Communion at Old Harbour Bay, save a few aged persons who are specially attended to there for that service.

4. The annual number of baptisms averages 45 for Spanish Town, 25 for Old Harbour Bay, and 10 for St. Faith's.

Baptism being a rite performed only on Christian professors, being adults, baptism is the ceremony of admission to the church. The right hand of fellowship after the baptism is the form of that admission.

The marriages average annually twenty couples.

5. The schools in connection with the several stations are exclusively Sunday schools.

6. The numbers attending Sunday schools fluctuate.

7. No provision is derived from the Legislature for the ministry or the schools.

Thomas Dawson, Minister.

(Enclosure 8.)

RETURNS of Ministers, Churches, Communicants, Sunday Scholars, &c., connected with Stations organised by the BAPTIST MISSIONARY SOCIETY.

For year ending 31 December 1863.

Name of Minister.	Station.	Parish.	Number Chapel Accommodates.	Number of Communicants.	Number of Inquirers.	Number of Sunday Scholars.	Number of Persons Attending the Ministry.	
Samuel Oughton	East Queen-street	Kingston	2,000	*	*	*	*	
Edwin Palmer	Hanover-street	ditto	600	197	43	–	280	
Ditto	Yallahs	St. David's	500	509	52	*	*	
James M. Phillippo	Spanish Town	St. Catherine	1,200	810	45	–	2,000	
Ditto	Passage Fort	ditto						
Ditto	Sligo Ville	St. Thomas-in-the-Vale	600	253	52	*	1,000	
James Hume	Jericho	ditto	–	*	*	*	*	
Ditto	Mount Hermon	ditto	600	*	*	*	*	
Joseph Gordon	Mount Nebo	ditto	700	316	25	*	600	
Ditto	Moneague	St. Ann	750	116	8	*	250	
John James Steele	Coultart Grove	ditto	450	228	59	188	550	
Benjamin Millard	St. Ann's Bay	ditto	1,800	514	43	504	2,000	
Ditto	Ocho Rios	ditto	900	354	40	272	1,000	
James G. Bennett	Salem	ditto	500	254	25	90	780	
Ditto	Grateful Hill	ditto	250	260	24	103	600	A new chapel building.
John Clark	Browns' Town	ditto	1,800	1,015	27	344	2,000	
Ditto	Bethany	ditto	800	518	36	293	1,000	
Ditto	Tabernacle	ditto	260	117	*	98	260	A new chapel building.
Francis Johnson	Clarksonville	ditto	600	344	36	290	600	
Ditto	Mount Zion	Clarendon	300	213	21	218	400	A new chapel building.
William M. Webb	Stewart Town	Trelawney	700	314	17	205	800	
Ditto	Gibraltar	St. Ann	320	190	22	120	400	
Patric O'Meally	New Birmingham	Trelawney	500	256	18	*	500	
Ditto	Ebenezer	ditto	230	69	15	*	250	
John Kingdon	Waldensia	ditto	1,000	475	–	236	1,500	
Ditto	Unity	ditto	200	293	–	*	500	A new chapel building.
David J. East	Rio Bueno	ditto	700	283	8	*	800	
Ellis Fray	Refuge	ditto	1,250	777	40	376	1,500	
Ditto	Kettering	ditto	300	290	16	235	500	
Thomas Lea	Falmouth	ditto	2,500	793	115	453	2,000	
George R. Henderson	Bethlephil	St. James	800	499	35	220	900	
Ditto	Hastings	Trelawney	400	307	47	180	700	
Walter Dendy	Salter's Hill	St. James	2,200	1,000	223	197	2,600	
Ditto	Maldon	ditto	800	–	–	275	–	
John E. Henderson	Montego Bay	ditto	600	584	*	*	900	
Ditto	Watford Hill	Hanover	*350	428	*	*	700	A new chapel building.
James Reid	Montego Bay	St. James	1,800	*	*	*	*	
Edward Hewett	Mount Carey	ditto	1,100	767	85	263	1,200	
Ditto	Bethel Town	Westmoreland	800	739	94	220	1,200	
James Maxwell	Shortwood	St. James	800	413	199	294	1,000	
Caleb E. Randall	Gurney's Mount	Hanover	700	338	18	153	750	
Ditto	Mount Peto	ditto	500	420	30	210	800	A new chapel building.
William Teall	Lucea	ditto	900	513	61	311	1,250	
Ditto	Fletcher's Grove	ditto	700	144	1	68	600	
Ditto	Green Island	ditto	450	124	7	73	300	
Windsor Burke	Fuller's Field	Westmoreland	400	298	60	130	450	
John Clarke	Savannah la-Mar	ditto	800	*	*	*	*	
Ditto	Sutcliff	ditto	–	*	*	*	*	
James Barrett	Hewett's View	St. Elizabeth	300	177	21	70	450	
George Milliner	Vauxhall	ditto	–	198	24	119	600	
	Wallingford	ditto	350	123	6	147	350	
William Claydon	Porus	Manchester	700	292	51	259	900	
Ditto	Mandeville	ditto	400	100	18	114	320	
Ditto	Four Paths	Clarendon	900	260	24	141	700	
Ditto	Greenock	ditto	500	160	16	90	500	
Ditto	Thompson Town	ditto	200	100	8	40	200	
Richard Dalling	Stacey Ville	ditto	550	241	11	136	680	
	Paradise	ditto	300	125	9	59	300	
George Moodie	Thompson Town	ditto	450	667	117	142	1,200	A new chapel building.
	Kilsyth	ditto	600	*	*	74	*	
Robert E. Watson	Mount Merrich	St. Dorothy	300	102	17	*	250	A new chapel building.
Ditto	Point Hill	St. John's	600	142	36	*	400	
Ditto	Mount Birrell	ditto	300	81	59	*	*	
Ditto	Mount Zion	Clarendon	350	142	60	*	300	
Angus Duckett	Hayes	Vere	900	181	24	131	*	
Ditto	Enon	ditto	400	91	–	*	*	
Ditto	The Cross	Clarendon	–	53	–	*	*	
Ditto	Elim	ditto	–	51	–	*	*	
John Thompson	Mount Charles	St. Andrew	200	*	*	*	*	
Ditto	Deeside	ditto	80	*	*	*	*	
Thomas Smith	Mount Angus	St. Mary's	750	323	118	*	700	
Charles Sibley	Port Maria	ditto	800	360	60	57	800	
Ditto	Oracabessa	ditto	700	330	50	*	800	
Samuel Jones	Annotta Bay	Metcalfe	700	647	85	251	1,500	
Ditto	Buff Bay	St. George's	450	153	*	74	450	
John J. Porter	Bethlehem	Portland	150	99	24	98	260	
Henry B. Harris	Belle Castle	St. Thomas-in-the-East	250	154	21	130	360	
	Stokes' Hall	ditto	100	88	9	34	250	
	Leithe Hall	ditto	–	59	14	33	200	
		TOTAL	49,630	21,911	2,529	8,918	49,430	

* No returns.

STATISTICS of DAY SCHOOLS of the EDUCATIONAL SOCIETY in connection with the JAMAICA BAPTIST UNION, for 1863.

ABSTRACT I.

COUNTY.	Parish.	Schools.	On the Books.			Average Attendance.		
			Boys.	Girls.	Total.	Boys.	Girls.	Total.
Surrey - - -	St. Thomas-in-the-East	2	63	31	94	42	18	60
	St. George - - -	1	37	12	49	30	8	38
Middlesex - - -	St. Mary - - -	1	34	32	66	22	18	40
	St. Catherine - -	2	124	54	178	84	35	119
	St. Thomas-in-the-Vale	1	26	29	55	26	29	55
	St. Ann - - -	17	611	370	981	374	197	571
	Clarendon - - -	7	302	131	433	212	97	309
	Manchester - - -	4	161	128	289	119	93	212
	Vere - - - -	1	24	31	55	14	18	32
	St. John - - -	2	57	29	86	44	26	70
Cornwall - - -	Trelawney - - -	9	565	322	887	347	203	550
	St. James - - -	12	285	225	510	186	146	332
	Hanover - - -	6	164	106	270	115	68	198
	Westmoreland - -	4	126	88	214	83	67	150
	St. Elizabeth - -	4	113	72	185	89	57	146
TOTAL - - -	15 parishes.	73	2,692	1,660	4,352	1,787	1,080	2,882

ABSTRACT II.

COUNTY.	Parishes.	Ministers.	Schools.	On the Books.			Average Attendance.		
				Boys.	Girls.	Total.	Boys.	Girls.	Total.
Surrey - - -	2	2	3	100	43	143	72	26	98
Middlesex - -	8	12	35	1,339	804	2,143	895	513	1,408
Cornwall - - -	5	17	35	1,253	813	2,066	820	541	1,376
TOTAL - - -	15	31	73	2,692	1,660	4,352	1,787	1,080	2,882

No. 1.
Jamaica.

State of Education in 57 of the 73 Schools.

Reading and Spelling Classes:

1. Alphabet	350
2. Spelling two letters	377
3. Ditto three and four letters	497
4. Ditto five and six letters	363
5. Ditto two syllables	510
6. Ditto three syllables	440
7. Ditto four syllables	431
8. Expected to spell any word	404
Total	3,372

Arithmetic Classes:

1. Numeration	568
2. Simple Addition	520
3. Ditto Subtraction	266
4. Ditto Multiplication	266
5. Ditto Division	178
6. Compound Addition	121
7. Ditto Subtraction	54
8. Ditto Multiplication	86
9. Ditto Division	90
10. Reduction, Rule of Three, &c.	96
Total	2,245

Writing on paper	1,158
Learning English Grammar	764
Ditto Geography	999
Ditto Needlework	558

TABULAR STATEMENT of DAY SCHOOLS connected with the JAMAICA BAPTIST UNION for 1863.

COUNTY.	PARISH.	SCHOOL.	TEACHER.	On the Book.			Average Attendance.			MINISTER.
				Boys.	Girls.	Total.	Boys.	Girls.	Total.	
Surrey	St. Thomas-in-the-East.	Belle Castle	Mary Digby	31	11	42	22	6	28	H. B. Harris.
		Stokes Hall	John Anderson	32	20	52	20	12	32	"
	St. George	Buff Bay	John J. Porter	37	12	49	30	8	38	Samuel Jones.
Middlesex	St. Mary	Oracabessa	Newell Coore	34	32	66	22	18	40	Charles Sibley.
	St. Catherine	Metropolitan Schools	Mr. and Mrs. O'Meally	62	29	91	48	19	67	J. M. Phillippo.
		Taylor's Caymanas	Samuel Wilson	62	25	87	36	16	52	"
	St. Thomes-in-the-Vale.	Sligoville	Thomas Morrison	26	29	55	26	29	55	"
	St. Ann	St. Ann's Bay	Henry Beckford	54	56	110	25	17	42	Benjamin Millard.
		Ditto - Girls	Lucy Millard	—	8	8	—	6	6	"
		Nichols' Mount	William Nibbs	25	18	43	16	10	26	"
		Three Hills	R. Johnson	35	16	51	21	9	30	"
		Walker-Wood	J. Saunders	17	10	27	17	10	27	"
		Coultart Grove	J. J. Steele	31	4	35	25	2	27	J. J. Steele.
		Waltham	James Roberts	21	13	34	15	8	23	"
		Brown's Town	George Pottinger	83	40	123	50	17	67	John Clark.
		Bethany	James Richards	66	50	116	52	28	80	"
		Buxton	Josiah Blake	35	17	52	20	10	30	"
		Stepney	Sarah Gray	20	13	33	9	6	15	"
		Sturge Town	Ann Livermore	24	30	54	14	21	35	"
		Gibraltar	Edward Cooper	40	29	69	21	15	36	W. M. Webb.
		Salem	William Clarke	33	7	40	17	3	20	J. G. Bennett.
		Grateful Hill	John Hickling	63	25	88	30	9	39	"
		Mount Zion	John T. Henry	22	18	40	21	16	37	"
		Clarksonville	W. L. Nash	42	16	58	21	10	31	F. Johnson.
	Clarendon	Mount Zion	John Clarke	35	18	53	19	13	32	"
		Stacey Ville	Richard Dalling	54	24	78	44	21	65	R. Dalling.
		Thompson Town	John S. Edwards	71	29	100	46	19	65	George Moodie.
		Smith Ville	Alexander Dawkins	54	19	73	35	15	50	"
		Mount Olivet	Thomas H. Brown	37	11	48	29	8	37	"
		Ebenezer	W. Young	24	11	35	15	8	23	William Claydon.
		Greenock	H. Foster	27	19	46	24	13	37	"

COUNTY.	PARISH.	SCHOOL.	TEACHER.	On the Book.			Average Attendance.			MINISTER.
				Boys.	Girls.	Total.	Boys.	Girls.	Total.	
Middlesex—*continued.*	Manchester	Porus	G. Gordon	58	46	104	33	29	62	William Claydon.
		Harmon	J. Pennent	46	39	85	36	29	65	"
		Cumberland	S. Morris	37	35	72	31	30	61	"
		Mandeville	H. Lewin	20	8	28	19	5	24	"
	Vere	Hayes	A. and Mrs. Duckett	24	31	55	14	18	32	Argus Duckett.
	St. John	Springfield	Dorothy Merrick	51	21	72	40	20	60	Robert E. Watson.
		Mount Olive	Mrs. Watson	6	8	14	4	6	10	"
Cornwall	Trelawny	Calabar (Normal Day School).	Benjamin Scott	84	31	115	56	22	78	D. J. East.
		Wilberforce (Refuge)	Thomas Brown	53	35	88	27	18	45	Ellis Fray.
		Clark Town	Richard Oughton	48	27	75	27	14	41	"
		Suffield (Falmouth)	Samuel E. Reid	69	37	106	40	18	58	Thomas Lea.
		Stewart Town	Joseph Kerr	81	44	125	57	29	86	W. M. Webb.
		New Birmingham	William M'Clure	57	36	93	38	22	60	P. O'Meally.
		Worsop	Robert M'Donogh	38	34	72	27	23	50	"
		Waldensia	Andrew Brown	73	33	106	38	26	64	John Kingdon.
		Hastings	Miss E. Wright	62	45	107	37	31	68	G. R. Henderson.
	St. James	Bethtephil	James V. Andrews	40	20	60	30	10	40	"
		Brownsville (Somerton).	Charles Jarrett	18	21	39	13	15	28	
		Salter's Hill	John and Mrs. Palmer	32	9	41	17	4	21	Walter Dendy.
		Maldon	George Jarrett	30	6	36	17	3	20	"
		Springfield	Margaret White	12	7	19	7	4	11	"
		John's Hall	Lydia Popkin	12	12	24	9	8	17	"
		Mount Carey	Richard Lewin	55	28	83	32	19	51	E. Hewett.
		Ditto (Girls)	Miss Hutchins	–	50	50	–	30	30	"
		Good Intent	Mrs. Whitfield	10	32	42	7	29	36	"
		Shortwood	Sophia Maxwell	33	16	49	24	11	35	James Maxwell.
		King-street (Montego Bay).	Henry Beckford	22	11	33	16	6	22	J. Reid and J. E. Henderson.
		Iron Shore	Hugh Perry	21	13	34	14	7	21	J. E. Henderson.
	Hanover	Watford Hill	Philip Lyon	24	8	32	19	6	25	"
		Welcome	Thomas Robinson	–	–	–	–	–	15	"
		Gurney's Mount	Samuel Reid	28	23	51	22	15	37	C. Randall.
		Mount Peto	Thomas J. Frazer	46	17	63	30	12	42	"
		Lucea (Girls)	*	–	–	–	–	–	–	W. Teall.
		Mount Moriah	Miss Davey	25	37	62	16	20	36	"
		Jericho	John T. Barton	41	21	62	28	15	43	"
	Westmoreland	Bethel Town	Monteque Virgo	63	16	79	38	12	50	E. Hewett.
		Ditto (Infant)	Miss Ann Reid	6	33	39	5	27	32	"
		Lamb's River	Thomas Pinnock	26	14	40	18	10	28	"
		Fuller's Field	W. Burke	31	25	56	22	18	40	Windsor Burke.
	St. Elizabeth	Hewett's View	James Lewis	26	16	42	22	14	36	James Barrett.
		Ebenezer (Wallingford).	Isaac J. Stevens	35	36	71	28	24	52	George Milliner.
		Vauxhall	Henry Reece	25	6	31	21	5	26	"
		Elderslie	Thomas Henry	27	14	41	18	14	32	"
3 Counties	15 Parishes	73 Schools	59 Male; 17 Female. Total - 76 Teachers	2,692	1,660	4,352	1,787	1,080	2,882	31 Ministers.

* Miss Anderson, a student of Homerton College, has arrived to re-open the Lucea Girls' School with the new year.

(Enclosure 9.)

ANSWER to CIRCULAR, No. 314, Government Secretary's Office, 6th February 1864, respecting matters connected with the WESLEYAN METHODIST CHURCH in *Jamaica.*

Number of churches and chapels - - - - - - - - 74
The number who attend the ordinary service of the Church - - 37,630
The number of communicants - - - - - - - - 17,500

The annual number of baptisms and marriages: baptisms, 1,155; marriages, 180.

The number of schools in connection with the churches: Sabbath schools, 62; day-schools, 41 (eight of which do not receive anything from Government).

The average number who actually attend, and are taught in the schools, distinguishing daily from Sunday schools: Sabbath scholars, 4,648; day scholars, 2,319, 241 of which belong to schools that do not receive anything from Government.

What provision is made by the local legislature for the ministry, or for schools in connection with your body, and is such provision permanent, terminable at fixed periods, or mere annual vote?—No provision is made by Government for the Wesleyan ministry; a sum of money is annually voted by the Legislature, out of which the Governor in Executive Committee makes a grant for Wesleyan schools. The grant for 1863 was 225 *l.*

No. 1.
Jamaica.

(Enclosure 10.)

RETURNS of the UNITED METHODIST FREE CHURCHES in the Island of *Jamaica*.

1. The number of chapels (fifteen) - - - - - - - - - - 15
2. The number attending ordinary services average about two thousand four hundred - - - - - - - - - - - - - 2,400
3. The number of communicants (one thousand one hundred and forty-one) - 1,141
4. The number of baptisms and marriages:
   - Baptisms (thirty) - - - - - - - - - - - 30
   - Marriages (sixteen) - - - - - - - - - - 16
5. The number of schools in connection with the churches:
   - Day schools (eight) - - - - - - - - - - 8
   - Sabbath schools (seven) - - - - - - - - - 7
6. The average number of scholars in attendance:
   - Day scholars (three hundred and ninety) - - - - - - 390
   - Sabbath scholars (five hundred and fifteen) - - - - - 515
7. The ministers receive no aid from the local legislature. The day schools are in part supported by grants made annually by the local government.

(Enclosure 11.)

JAMAICA WESLEYAN METHODIST ASSOCIATION; established 1837, by the late Rev. *Thomas Pennock*.

1. TEN chapels.
2. One thousand six hundred and seven attending ordinary services.
3. Seven hundred and forty communicants.
4. Average annual number of baptisms, 194; marriages, 66.
5. Eight schools.
6. Average number attending day schools, 154; average number attending Sabbath schools, 180.
7. Our ministry is supported by the voluntary contribution of our people, and although they are unable to do so efficiently, yet we ask no aid from our local legislature; our day schools, however, are helped by them by a yearly grant of 25 *l.*, and out of a mere annual vote.

(signed) *George Sanguinetti*,
J. W. M. A. Minister.

(Enclosure 12.)

STATISTICS of the MORAVIAN MISSION in *Jamaica*, for the year 1863.

STATIONS.	Number of Chapels.	Number who attend the ordinary Services.	Number of Communicants	Number of Baptisms in 1863.	Number of Confirmations in 1863.	Number of Marriages in 1863.	Average Attendance of the Day Schools.	Average Attendance of the Sunday School.	Amount of Annual Grant voted by the Executive Committee.
Fairfield - - -	1	900	594	37	-	7	158	569	
Bethabara - - -	2	1,000	411	44	23	9	200	436	
Bethany - - -	2	1,100	423	44	5	12	206	275	
Nazareth - - -	1	600	230	24	14	5	105	271	
New Eden - -	1	800	299	29	-	5	164	280	
Lititz - - - -	1	750	326	25	17	8	93	289	
New Bethlehem - -	1	700	231	31	5	4	192	304	£.270 for our Schools.
New Pulnu - - -	1	700	374	43	24	8	216	334	
Springfield - - -	1	700	252	44	18	2	142	250	
New Carmel - -	1	1,000	502	67	43	12	185	575	
New Hope - - -	1	700	334	50	9	7	152	232	
Beaufort - - -	1	500	224	18	15	5	123	250	
Irwinhill - - -	1	500	191	35	4	4	158	133	
Stations - - 13	15	9,950	4,373	491	177	88	2,094	4,198	

Lititz, St. Elizabeth,
10 Feb. 1864.

Aug. Clemens,
Superintendent of the Moravian Mission,
Jamaica.

No. 1.
Jamaica.

(Enclosure 13.)

CHURCHES AND SCHOOLS.

AMERICAN MISSION in connection with the AMERICAN MISSIONARY ASSOCIATION, *New York.*

1.	Number of churches and chapels	5
2.	Number who attend church services	about 1,200
3.	Number of communicants	546
4.	Number of annual baptisms	from 70 to 90
5.	Number of schools in connection with churches	8
6.	Average number annually taught	340
	,, in Sunday-schools	about 400
7.	Provision made by the Local Legislature only for schools—	
	By Annual Vote in 1861-2	110*l.*
	,, ,, in 1863	99*l.*

The time allowed me is too short to examine the latest local records. The above is near the average from past annual records.

Seth T. Wolcott,
Chairman and Secretary of the Mission.

(Enclosure 14.)

Sir, Synagogue House, Kingston, 22 February 1864.

REFERRING to your Circular, No. 314, under date of the 6th instant (to hand on the 11th), I have the honour to state, for the information of his Excellency the Lieutenant Governor, and his Grace the Secretary of State for the Colonies, that the following replies contain, as near as I have been possibly able to arrive at, the information desired in your communication above referred to:

1. There is but one synagogue (the English and German) under my ministry.

2. The average attendance to the ordinary services of the synagogue is about 80 souls.

3. The number of communicants or souls belonging to the above-named synagogue, including several members residing in other parts of the island, is about 400.

4. The average number of marriages during the year is three; of births, 12; confirmations, six.

5. There is no school connected solely with the above-named place of worship, but there nevertheless exists a free school, named the Hebrew National Institution, for children of the above and its sister congregation. As the same is not under my supervision, but managed by a separate body without relation to the official department of the synagogue, I am unable to render you full particulars thereof; which may, however, be obtained from B. A. Franklin, Esq., president of the institution.

6. See answer to No. 5.

7. There is not any provision made by the local legislature for the ministry of my congregation.

In addition to the above particulars, I beg to state that there is another Jewish congregation (the Spanish and Portuguese) in this city, of which the Rev. A. H. Delevante is minister.

I have, &c.
(signed) *Myer H. Myers*, Dr.

H. W. Austin, Esq.
Government Secretary.

(Enclosure 15.)

Sir, Kingston, 16 February 1864.

I HAVE the honour to acknowledge receipt of Circular, No. 314, dated 6th instant, to which I beg to reply, and furnish the necessary official information under their respective heads:—

1. The number of churches and chapels?—One synagogue.

2. The numbers who attend the ordinary service of the synagogue?—Number of attendants to be determined only by the season of the festivals, varying from 100 to 600, male and female.

3. Number

3. Number of communicants?—About 1,000 members.

4. The annual number of baptisms, confirmations, and marriages?—An average of 20 births per annum; all girls of the Jewish profession are named, but not confirmed; confirmation is confined only to boys. Number of marriages vary from seven to 12 per annum.

5. Number of schools in connection with the synagogue?—One, established by the united Jewish congregations of Kingston.

6. The average number who actually attend and are taught in the school?—About 28, out of 43 on the books.

7. What provision is made by the local legislature for the ministry, or for the schools in connection with your body, and is such provision permanent, terminable at fixed periods, or mere annual votes?—No provision is made by the local legislature for the Jewish ministry. The school receives 50 *l.* per annum from the fund appropriated by the legislature for educational purposes.

In conclusion, I beg to say that I shall feel much pleasure in complying with the request of his Excellency the Lieutenant Governor, by furnishing duplicate copy of information herein afforded.

I have, &c.
(signed) *A. H. De Levante,*
Minister of the Spanish and
Hugh W. Austin, Esq. Portuguese Congregation of Jews, Kingston.

COPY of a DESPATCH from Lieutenant Governor *Eyre* to His Grace the Duke of *Newcastle*, K.G.

Lieut.-Governor Eyre to His Grace the Duke of Newcastle, K.G.

(No. 100.)

My Lord Duke, King's House, 10 March 1864.

IN my Despatch, No. 71, of the 24th February 1864, I was only able to transmit the Returns called for by your Grace's Circular of the 15th January, just as I received them without any comment or analysis.

2. I have the honour to transmit a Schedule of those Returns giving the information asked for, so far as the same is practicable or procurable in a tabular form.

3. I have to call your Grace's especial attention to the fact that the Acts providing for the clergy of the Church of England expire on the 31st December 1869.

Taking this fact in connection with the agitation which has lately taken place in this Colony on the subject of separating Church and State, and bearing in mind that so very large a proportion of the population consists of Dissenters, I feel bound to record my conviction that when the time comes for renewing those Acts it will be found very difficult to get them renewed without very considerable modification.

4. There has been, for some time past, a feeling growing up, that the provision made out of the public revenue for our Church is an unjust and oppressive tax upon the large section of the community which does not belong to that Church; and, at the recent jubilee of the Baptist Mission, a resolution, of which I enclose a copy, was adopted and promulgated on the subject.

5. I also transmit an article from one of the newspapers of the Colony, showing the spirit in which this resolution is commented upon.

I have, &c.
(signed) *E. Eyre.*

P.S.—As the Schedule only gives the expenditure for salaries, I append a separate Return showing the amount usually paid by the Colony in the shape of annual grants for churches, chapels, or parsonage-houses of the different denominations. This statement is made out for the year ending 31st December 1863.

(Enclosure 1.)

RETURN showing the DIVISION of the POPULATION of *Jamaica* into ANGLICANS, WESLEYANS, BAPTISTS, &c.

Population of Jamaica.	Division of the Population into Anglicans, Wesleyans, Independents, Roman Catholics, Presbyterians, and other Religious Denominations.	Number of Habitual Communicants.	Number of Churches and Chapels.	Number who attend the Ordinary Services.	Annual Number of			Number of Schools in connection with the Churches.	Average Numbers who actually Attend and are Taught in the Schools.		Of the Anglican Churches, Chapels, and Schools, how many are served or superintended by Clergymen paid from the Parliamentary Grant.			Of the Anglican Churches, Chapels, and Schools, how many are served or superintended by Clergymen paid from other Funds.			What is the Provision made by the Local Legislature respectively for the Anglican Church, and for the Ministry of the other Religious Bodies, and how far they are Permanent, or by Terminable Grants.
					Baptisms.	Confirmations.	Marriages.		Daily Schools,	Sunday Schools.	Churches.	Chapels.	Schools.	Churches.	Chapels.	Schools.	
441,264	Anglicans	–	96	40,400	5,263	2,250	933	108	11,000	–	20	–	–	76	–	–	£. s. d. 28,931 6 11 by local Acts, which expire on 31 Dec. 1869.
	Church of Scotland	–	1	350	16	nil	12	2	98	100	–	–	–	–	–	–	367 10 – is granted annually for the support of the Scotch Church.
	Roman Catholic	–	7	1,890	593	–	44	–	–	–	–	–	–	–	–	–	– – Nil.
	Wesleyans, Jamaica Methodist Association.	17,500	74	37,630	1,155	–	180	103	2,319	4,648	–	–	–	–	–	–	– – Nil.
	Wesleyans, Methodist	570	4	1,000	46	–	4	2	118	–	–	–	–	–	–	–	– – Nil.
	Wesleyans, United Methodist Free Church.	1,141	15	2,400	30	–	16	15	390	515	–	–	–	–	–	–	– – Nil.
	Wesleyans, Jamaica Methodist	740	10	1,607	194	–	66	8	154	180	–	–	–	–	–	–	– – Nil.
	Baptist Missionary Society	21,911	79	49,430	–	–	–	73	2,882	8,918	–	–	–	–	–	–	– – Nil.
	Baptist Independent	1,280	4	2,100	80	–	20	–	–	–	–	–	–	–	–	–	– – Nil.
	Presbyterian	5,900	29	10,000	340	–	160	70	1,730	5,080	–	–	–	–	–	–	– – Nil.
	London Missionary Society	2,181	23	6,780	210	–	63	18	1,108	2,400	–	–	–	–	–	–	– – Nil.
	Moravian Mission	4,373	15	9,950	491	177	88	–	2,694	4,198	–	–	–	–	–	–	– – Nil.
	American Mission	546	5	1,200	80	–	–	8	340	400	–	–	–	–	–	–	– – Nil.
	*Hebrew	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	

* Returns from only two of the Hebrew congregations have been received; the information, therefore, relating to this communion does not represent the actual number of the churches or congregations.

10 March 1864.

Hugh W. Austin, Government Secretary.

(Enclosure 2.)

Extract from "The County Union."—Montego Bay, 1st March 1864.

IT MUST COME.

THE demonstration made in Montego Bay at the recent Baptist Jubilee is, if carefully studied by the Government of the Colony, a warning not to be despised. It ostensibly represented the deep gratitude to God of nine-tenths of our population. Numerically, and speaking openly, it had a signification below its surface. It was the *vox populi* of Jamaica; the fraction not comprehended in its compatriotism being unappreciable if ever it come to a death-struggle between the voluntary membership of "Muscular Christianity" and State coercion for a mercenary ministry of the church of Christ. For no one capable of thought but must be convinced that the vast multitude gathered in Montego Bay, obedient to the dictates of their feelings—obedient to the respondent emotion of their hearts—pregnant in the power of their social status—in perfect subjection to the training they receive—vibrating to the impressions they imbibe—above all, oppressed by the barefaced imposition they are forced to maintain—no one, we write, but must be convinced that the support of a State Church—as from these thousands of stalwart Dissenters—is a thing impossible to be realized even at so proximate a date as five years hence. Already has the fiat gone forth. The wall has on it the handwriting that dooms a separation of the Church and State. No rabid writings of the pensioned bigots of the altar—deceitful effusions that plead as for Christianity assailed, but revealing only the cloven foot of personal interest through every syllable of their artful logic—no specious pleading, ostensibly directed towards the Church's welfare, but in reality the wail of fear for stipends in danger of arrest—not the whole array of priesthood, backed by the spasmodic admission of characterless communicants, dragged to the fellowship of Christ through the necessity that clamours for recruits at any cost—not one, nor all of these incentive stimuli can much longer force a people so tutored, so alive to their political rights as are the mass of the Jamaica population, to a compulsory support of an establishment that cripples the religion of the many only to pamper to the vanity and prosperity of the few. It is an absurd blindness that closes its eyes to the inevitable severance at hand; a movement waiting but a leadership to order an advance that, if once commenced, will be as fearfully annihilating as victorious.

Dropping all metaphor, is it reasonable to suppose that, in 1868, 360,000 people will consent to be taxed for the support of a Church from which they derive no benefit whatever; which ministers, in fact, to but an infinitessimal fraction of a community, while it fattens upon a perfect harvest of their means? Is the Government dead to all warning; to such constitutional demonstration as the past week afforded in Montego Bay, or as the abandonment of tolls during the past year? Will it require the State Church to be attacked, turnpike fashion, ere it sees the danger of its demolition? For demolished must the collection of its tollage be, if the Government persist in its obnoxious collection yet a year or two hence. Were but the command put forth—were but the leaders ready—how much taxation for Church purposes could the collectors of dues gather in? At first, the constabulary provocation might glean a trifle from the timid. What would follow? A necessity for some more provocation; a rifle point, perhaps. But that rifle point—the rifle itself—would be powerless against the determined resolution of a people not to be taxed against their wills—not to be taxed for a State Church while their own chapels and ministry are as much as they can support out of their impoverished resources. And when it came to this resolve; when a righteous principle had culminated to its bursting point, threatening the peace of the Colony with its convulsion throes, then it would be found that the British Government, as in Canada, as in Australia, would step in and order that no single hand of authority should be raised in useless hostility against the movement.

The Jamaica Baptist Union in relation to this matter (the resolution of which is published in this day's paper) has put forth a speaking declaration to the sense of the Legislature, if only our representatives will read it rightly. Apply the argument, and the resolve, of which it is the exponent, as addressed to turnpikes (and similar process was adapted to these nuisances), and what Governor would be rash enough to keep toll-gates standing? Very significantly does it state the case. A gathering of over 50 Baptist ministers resolved, that the payment of a State Church out of the public treasury is unjust in principle towards the large numbers of Her Majesty's most loyal subjects. And if that "large number" alluded to only resolve they will not longer pay, where is the power to stand up and strive against their resolution?

We need not pause for a reply. The query suggests its own answer.

No. 1.
Jamaica.

(Enclosure 3.)

At the Annual Meeting of the Jamaica Baptist Union, held in Montego Bay from Wednesday, February 17th to 24th, 1864,—

It was Resolved,—

"THAT this Board, believing that the voluntary principle alone is ordained by God to maintain and extend the religion of the Lord Jesus Christ, hereby enters its solemn protest against all State grants for religious purposes; and avows its conviction that the payment of the annual stipends of the Ministers of the Church of England, and others, out of the public treasury and by the taxation of the country, is not only unsound in principle, and unjust towards the large numbers of the Queen's most loyal subjects not of these communions, but most degrading to the Christian bodies whose ministers are thus paid, as constituting them 'State Stipendiary Churches,' placing them under the control of the secular power, and infringing on the 'Crown Rights of the Lord Jesus Christ."

James M. Phillippo, Chairman.
Benjamin Millard, Secretary.

(Enclosure 4.)

RETURN for the Financial Year ending 30th September 1863, of Grants or other Payments on behalf of Churches, Chapels, or Parsonage-houses, for each Religious Denomination separately.

	£.	s.	d.	£.	s.	d.
Established Church:						
Churches and chapels	10,735	16	4			
Parsonage-houses	83	6	–			
				10,819	2	4
Wesleyan chapels, repairs				200	–	–
United Methodists, repairs				50	–	–
Hebrews' synagogue, repairs				200	–	–
			£.	11,269	2	4

RETURN for Financial Year ending 30th September 1863, of Grants or other Payments on behalf of Schools or School-houses for each Religious Denomination separately.

	£.	s.	d	£.	s.	d.
Schools:						
Established Church	–	–	–	1,441	2	–
St. George's Reformatory for Boys, under special Acts	1,240	10	10			
From Annual Educational Grant	90	–	–			
				1,330	10	10
Kingston and St. Andrew's Reformatory for Girls, under special Acts.	680	2	7			
From Annual Educational Grant	135	–	–			
				815	2	7
Presbyterians				81	–	–
Wesleyans				233	–	–
Wesleyan Methodists				35	–	–
United Methodists				72	–	–
Baptists				45	–	–
Moravians				270	–	–
Roman Catholics				54	–	–
Hebrews				45	–	–
London Missionary Society				38	–	–
American Mission				129	–	–
Undenominational				63	–	–
Mico Institution				43	4	–
Total of sums taken on the parochial estimates, the denominational apportionments of which do not appear.				1,442	–	–
Endowed schools, to which pupils of all denominations are admissible				4,478	3	3
				10,615	2	8
Expended for salary of inspector of certain schools				180	2	–
Forms for Board of Examiners				15	14	–
			£.	10,810	18	8
School-houses:						
Established Church				607	18	4
Purchase of permanent site for Girls' Reformatory				716	–	–
Mico Institution				450	–	–
			£.	1,773	18	4

10 March 1864.

— No. 2. —

BRITISH HONDURAS.

No. 2.
British Honduras.

[Not received.]

— No. 3. —

TURK'S ISLANDS.

No. 3
Turk's Islands.

(No. 60.)

COPY of a DESPATCH from Lieutenant Governor *Eyre* to the Right Honourable *E. Cardwell*, M.P.

Lieut.-Governor Eyre to Right Hon. E. Cardwell, M.P.

Sir, King's House, Jamaica, 5 July 1864.

I HAVE the honour to transmit a Despatch received from the President of Turk's Islands, enclosing a tabular statement of the religious denominations of the population of the Colony, in reply to his Grace the Duke of Newcastle's Circular Despatch of the 15th January last.

No. 63. Turk's Island, 24 June 1864.

I have, &c.
(signed) *E. Eyre.*

(Enclosure.)

(No. 63.)

Presidency, Turk's and Caicos Islands.
Government House, Grand Turk,
24 June 1864.

Sir,

IT was only on the 11th instant that the return called for by the late Secretary of State, in his Grace's Circular Despatch of the 15th of January last, was forwarded to me by the Colonial Secretary.

2. I have now the honour to transmit to your Excellency a tabular view of the information required under the 1st, 2nd, 3rd, and 4th heads of the Circular Despatch referred to.

3. Taking however the population, as at last census, at 4,372 souls, and deducting for children of tender years 1,072, there would remain 3,300, of whom the compiled return shows that 3,000 habitually attend places of worship, leaving only 300 to be acounted for. I fear that a much greater number never or very rarely seek the means of grace; and although 300 are thus left out, as non-attendants at places of worship, yet there are 977 souls returned as "other denominations not known;" but where the mistake in the returns occurs I am not prepared to say, as, at my request, the Colonial Secretary personally called upon the ministers who have made the returns, who severally verified them as correct.

4. The two Anglican churches and schools are served and superintended by two rectors, the Rev. Joseph Maxwell and the Rev. Joseph C. Astwood, and both are paid from Colonial funds.

5. These two clergymen are secured their stipends by Ordinance. The former receives 415*l.* per annum, but his successor is limited by Ordinance No. 3, of 1856, to 250*l.*, an amount which I am desirous of increasing, as reported to your Excellency in my Despatch, No. 27, of 10th March last. Mr. Astwood is now paid at the rate of 200*l.* per annum, which is not interfered with by the Ordinance which reduces the stipend of Mr. Maxwell's successor.

6. There are no other permanent charges on the Colonial funds for ministerial religious instruction, but grants are made from time to time to the Wesleyan body by the Legislative Council, which require the sanction of the Secretary of State before being paid.

I have, &c.
(signed) *Alex. W. Moir*, President.

His Excellency Governor Eyre,
&c. &c. &c.

TURK'S AND CAICOS ISLANDS.

RETURN showing, 1st, the Population of the Colony; 2ndly, the Division of the Population into Anglicans, Wesleyans, Baptists, and other Denominations; together with the Information required under the 3rd and 4th Heads of the Secretary of State's Circular Despatch, dated Downing-street, 15th January 1864.

1.	2.				3. ANGLICANS.								
Population.	Anglicans.	Wesleyans.	Baptists.	Other Denominations.	Number of Habitual Communicants.	Number of Churches.	Number who Attend the Ordinary Services of Church.	Annual Number of Baptisms.	Annual Number of Confirmations.	Annual Number of Marriages.	Number of Schools.	Average Number of actual Attendance. Daily.	Average Number of actual Attendance. Sunday.
4,372	595	–	–	977 (not known.)	191	2	Professing to belong to Church, 595. Number generally attending, 200	45	Number confirmed at the last confirmation in 1859, 48	2	2	–	80
					4. WESLEYANS.								
–	–	1,200	–	– –	342	3	1,200	55	– – – –	15	3	–	335
					4. BAPTISTS.								
–	–	–	1,600	– –	500	9	1,600	20	– – – –	20	9	120	600
4,372	595	1,200	1,600	977	1,033	14	3,000	120	48	37	14	120	1,015

A correct compilation of returns sent in by the ministers of the several denominations established within this Colony.

J. J. M'Intosh,
Colonial Secretary.

— No. 4. —

No. 4.
British Guiana.

BRITISH GUIANA.

(No. 55.)

Governor Hincks, C.B., to his Grace the Duke of Newcastle, K.G.

COPY of a DESPATCH from Governor *Hincks*, C.B., to his Grace the Duke of *Newcastle*, K.G.

Government House, Demerara,
8 March 1864.

My Lord Duke,

I HAVE the honour to acknowledge the receipt of your Grace's Circular Despatch of the 15th January, instructing me to call on the Bishop of Guiana for certain statistics with regard to the Church of England, and to procure similar information regarding the other religious bodies in the Colony with as little delay as possible. I have now the honour to transmit a Table showing the population of the Colony at the last census, from which is deducted the heathen immigrant population, the aborigines, soldiers, and sailors; likewise an abstract of the returns obtained from the several religious bodies, and a statement of the aid granted to each denomination from the Colonial Chest. I have the honour to transmit a copy of a special report from the Bishop of Guiana on the same subject.

12th February 1864.

I have, &c.
(signed) *J. Hincks.*

(Enclosure 1.)

Sir, Kingston House, 12 February 1864.

I HAVE the honour to acknowledge the receipt, through your Excellency, of a copy of a Despatch from his Grace the Duke of Newcastle.

I hasten to convey such categorical replies to the returns asked for by his Grace as it is in my power to give.

I will take the questions in the order in which they appear in the Despatch:—

I.—Population of the Colony.

This, at the last census in 1861, was 155,907.

II.—The Divisions of the Population into Religious Communions.

I have no statistics of any kind to guide me, or to give even an approximate idea of the number that may be attached to the several religious communions in the Colony; nor would it be possible for me, as your Excellency will at once admit, to obtain such information. I am compelled, therefore, to refer the inquiries under this head, as well as those under Question IV., to your Excellency, in the hope that you may be able, from Government Returns, to supply the required information.

III.—Number of Communicants, &c. of the Church of England.

The Ecclesiastical Returns for the year 1863 have within the last fortnight been collected and classified in a report to the Synod of this Diocese, and from that report I extract the following information:

Communicants	6,199
Number of churches and chapels	49
Attendants at church	10,838
Baptisms	1,818
Confirmations	964
Marriages	203
Day schools	63
Children on books	5,392
Average attendance	3,640
Sunday schools	34
Scholars	3,826

IV. Number of Communicants of other Religious Communions.

Vide No. II., above.

V.—Clergy paid by Parliamentary Grant to the Colony.

The Parliamentary Grant to this diocese of 1,100 *l.* per annum is at present divided amongst eight clergymen. It is principally used as supplementary to the incomes of the clergy.

For many years this principle was insisted upon by the Legislature, who were in the habit of granting certain sums as salaries to clergymen, provided that the bishop allowed so much from the Parliamentary Grant, or Society for the Propagation of the Gospel. This principle I still adhere to.

Bishop's College, our only institution for educating young men for the ministry and for training schoolmasters, receives no support from the Colony save a salary for an under master; to the warden, therefore, I assign 300 *l.* per annum from the grant. St. Sidwell's Church, in the environs of this town, is in a similar position; to the curate thereof 200 *l.* per annum is given. To the curate of the cathedral, who is obliged to find a horse and carriage in order to attend to the duties of a chapelry nearly three miles from town, I allow 100 *l.*; to four curates of important districts, and to the clergyman who is employed as a missionary to our coolie immigrants, all of whom have to meet larger expenses in the fulfilment of their duties, I grant 100 *l.* and 50 *l.* a year respectively. As at present distributed, the grant may be said to support our college and the curate of one church, and and also to enable four curates and one purely missionary clergyman to fulfil duties which, without help *ab extra*, they must leave unfulfilled. This Parliamentary Grant has been, and must continue to be, an invaluable assistance to me in the administration of the diocese. In so large and scattered a Colony as this, there are necessarily extensive districts to which it is impossible to obtain in sufficient measure, either public assistance from the Legislature, or private aid from individuals. Any restriction, therefore, or diminution or withdrawal of the grant would effectually debar me from rendering the essential help I am now able to give, and consequently might destroy in the bud many fair prospects of spiritual good to our creole and immigrant population. There are 33 clergymen in the diocese; of these, eight are paid by the Legislature and Parliamentary Grant conjointly, 17 from the Legislature alone, and eight from other sources.

No 4.
British Guiana.

VI.—Provision made by the Legislature for the Church of England.

By the provisions of the last Clergy Bill 48,640 dollars, or 10,133 *l.* 6 *s.* 8 *d.* sterling, was granted to the Church of England, which are divided amongst 25 clergymen. This Bill terminates in 1868, but I doubt not the Legislature will consider it incumbent upon them to assist materially in securing the ministrations of religion for the inhabitants of the Colony.

I hope to be able to forward to your Excellency, before the departure of the mail, copies of the journal of our Synod lately held in this town. This journal will contain full and accurate statistics of every church and chapel of the diocese, as well as a carefully compiled analysis and classification of the several details in the form of a report of the Committee on the state of the Church.

May I be permitted to refer your Excellency, and through you his Grace as well, to such statistics and report as containing credible information on the points connected with the external progress of the Church in this Colony.

By the next mail I propose, as your Excellency is aware, to visit England for a few months, and I shall take an opportunity to seek a personal interview with his Grace, so as to be able to supplement any deficiencies that may possibly be found in this letter.

I have, &c.

His Excellency the Governor,
&c. &c. &c.

(signed) *W. P. Guiana.*

(Enclosure 2.)

TABLE showing Division of the CHRISTIAN POPULATION of *British Guiana* into RELIGIOUS COMMUNIONS.

CONSOLIDATED RETURN of the Numbers, &c. of the several Denominations of CHRISTIANS in the Colony of *British Guiana, West Indies.*

DENOMINATION.	Numbers belonging to Religious Communions.	Number of Communicants.	Number of Churches, Chapels, Meeting Houses, Assembly Rooms, or Mission Rooms.	Numbers Attending Divine Service.	Number of Baptisms.	Number of Marriages.	Number of Schools.	Number of Scholars.	Number of Sunday Schools.	Number Attending Sunday Schools.	Grants of Money from the Colony Chest in 1863.
											£. s. d.
Church of England	39,787	6,199	49	10,838	1,818	203	63	5,392	34	3,640	10,133 6 8
Church of Scotland	9,586	2,122	26	4,425	334	97	22	1,264	7	1,319	5,111 13 4
Church of Rome	15,468	4,074	10	3,760	1,087	245	11	598	4	283	2,500 – –
Wesleyan Mission	11,465	3,129	20	11,465	106	46	24	1,324	–	906	833 6 8
London Mission	12,280	3,345	24	7,642	284	128	30	1,862	32	4,406	– nil.
Christian Brethren	2,825	1,460	16	2,010	49	16	10	355	15	796	– nil.
	91,411	20,329	145	40,140	3,678	735	160	10,795	92	11,350	18,578 6 8

Population of the Colony by the Census of 1861		155,907
Heathen Immigrants	24,710	
Aborigines	7,000	
Soldiers and Sailors	881	
		32,591
		123,316

Compiled from the original Returns,

Augustus Frederick Gore,
Assistant Government Secretary of British Guiana.

Guiana Public Buildings,
29 February 1864.

— No. 5. —

No. 5.
Bahamas.

BAHAMAS.

(No. 37.)

Governor Bayley, C. B., to his Grace the Duke of Newcastle, K. G.

COPY of a DESPATCH from Governor *Bayley*, C. B., to his Grace the Duke of *Newcastle*, K. G.

Government House, Nassau,
30 March 1864.

My Lord Duke,

HEREWITH I have the honour to forward a letter and schedule which I have received from the Bishop of Nassau, in reply to your Grace's Circular Despatch, of 15th January last.

The schedule gives about 6,400 as the total number of members of the Anglican Church in the Colony; but I agree with the remarks of Mr. Swann, as quoted by the Bishop, that a considerable addition might fairly be made to this computation; and I am inclined to believe that 8,000 might reasonably be assigned as the number of professed members of the Anglican Church in the whole of the Bahamas.

By far the largest number of the negro creoles belong to the Baptist persuasion. This species of dissent has peculiar attractions for them, involving, as it does, a very democratic form of self-government, the substitution of class councils, and adjudications for the procedure of the established courts of law, together with a system of mutual espionage and censorship, which at the same time gratifies their curiosity and flatters their self-conceit. I by no means deny that, in their time, the Baptist preachers have done good to their flocks; but I consider that the present effect of their preaching and of their church organisation is to impart a tone of republican self-assertion to their congregations, to foster a hypocritical habit of quoting the Sacred Scriptures on all occasions, and to postpone the more serious duties of the moral law to chapel-going observance of the Sabbath, and similar ceremonial formalities. Had the tenets and the ministers of the Anglican Church obtained an ascendancy over the minds of these people shortly after their emancipation, we should, probably, be now witnessing a stronger regard for some of the social duties of life, a deeper sense of the responsibilities of hired labour and service, and a more rigorous honesty than that which actually prevails. And I am quite sure that, were one or two clergymen of good sense, genial temperament, and active habits, settled on some of the out-islands, they would speedily acquire a most salutary influence over the minds of the negroes. They would be regarded, perhaps, less as spiritual advisers at first than as friends and councillors in the affairs of daily life; and from this high vantage-ground they would soon extend their authority to matters of a religious and spiritual nature. The introduction of such clergymen I have always looked on as the most desirable result of the new episcopate; and for the sake of the moral and social improvement of the colonists, I should deeply regret to see Her Majesty's Government recognise any economical or political necessity for withdrawing from the Imperial Estimates the provision for the stipend of the Bishop of Nassau.

But I forbear to press on your Grace's notice observations which have not been required by your Grace, but which seem to flow naturally from the subject-matter of your Grace's Despatch.

I have, &c.
(signed) *C. J. Bayley*,
Governor.

No. 5.
Bahamas.

(Enclosure 1.)

Sir, Nassau, Bahamas, 12 March 1864.

I HAVE endeavoured to supply, in the accompanying schedule, as far as it is in my power, the information requested by the Duke of Newcastle, in his Despatch to your Excellency, dated 15th January 1864.

On account of the difficulty of communicating with the out-islands, I have confined my inquiries to the parishes in this island, and have supplied the statistics relating to the other islands from the Ecclesiastical Returns of 1859.

For the population, I have referred to the last census; it is now, I am told, increased by about 4,000 strangers.

In the number of communicants, strangers and others connected with the garrison are not included.

The column for confirmations has been left blank, as, owing to the very short period of the late bishop's episcopate, and to my having but recently arrived, that rite has not yet been generally administered.

Mr. Swann, the commissary of the diocese, who has kindly procured for me the enclosed returns, remarks in his letter to me of yesterday: "It is extremely difficult to find out how many Anglicans there are in the Colony. I have tried to ascertain this as correctly as possible, and the result is, 6,423; but my impression is that 2,000 should be added to the number."

I have, &c.

His Excellency Governor Bayley, C. B., &c. &c. &c.

(signed) *Addington, R. P. Nassau.*

(Enclosure 2.)

ECCLESIASTICAL RETURNS.—BAHAMAS.

PARISH.	Population of Colony.	Communicants.	Churches.	Usual Attendance at Ordinary Services.	Annual Number of Baptisms.	Annual Number of Confirmations.	Annual Number of Marriages.	Number of Schools. Sunday.	Number of Schools. Daily.	Number Attending Daily Schools.	Number Attending Sunday Schools.	Total Number of Anglicans.	Salaries Paid by Colonial Legislature.
New Providence:													£.
District of Christchurch - - -	35,280.	216	1	500	57	–	10	1	–	–	230	1,000	275
„ St. Agnes - - -		190	1	300	104	–	22	1	3	372	192	1,000	200
„ St. Mary - - -		25	1	120	10	–	–	1	–	–	104	200	150
„ St. Matthew - -		122	1	180	77	–	17	1	1	71	76	1,300	275
„ St. Anne - - -		52	2	80	11	–	12	1	–	2	38	250	250
„ St. John - - -		103	4	360	40	–	6	1	1	73	145	500	261
„ St. Philip - - -		58	1	200	20	–	1	1	–	–	50	180	150
„ St. Stephen and St. Peter.		181	6	638	60	–	6	6		–	218	550	150
„ St. Paul and St. Andrew		134	4	300	59	–	5	3	1	50	76	703	150
„ St. David, St. Christopher, and St. Salvador		77	3	325	17	–	11	3	–	–	150	360	150 No provisions for St. Christopher and St. Salvador.
„ St. Patrick's - -		30	3	320	16	–	1	3	–	–	100	380	150
TOTAL	35,280	1,188	27	3,383	471	–	91	22	6	566	1,379	6,423	

There are no Clergy in the Colony, except myself, paid by Grant from the Imperial Parliament.—*Addington R. P. Nassau.*

— No. 6. —

TRINIDAD.

No. 6.
Trinidad.

(No. 46.)

COPY of a DESPATCH from Governor *Keate* to his Grace the Duke of *Newcastle*, K.G.

Governor Keate to his Grace the Duke of Newcastle, K.G.

My Lord Duke, Trinidad, 21 March 1864.

I HAVE had the honour to receive your Grace's Circular Despatch of the 15th January, calling upon me for certain information with reference to the question of continuing indefinitely at its present amount the Parliamentary Vote for the Church of England in the West Indies. I communicated your Grace's Despatch to the Bishop of the diocese, who referred it back to the Archdeacon of Trinidad. With the assistance of the latter I have drawn up the returns which I now enclose, relating to the Church of England, and which I believe to be trustworthy. The other returns transmitted herewith, I have prepared from such information as I could obtain from the ministers of the several religious divisions of the population of the island.

Nos. 1 to 9.

I have, &c.
(signed) *Robert W. Keate.*

(Enclosure.)

No. 1.—RETURN showing the POPULATION of the COLONY, and its Division into the several RELIGIOUS COMMUNIONS.

Population	84,438
Anglicans	17,900
Wesleyans	3,000
Baptists	1,660
Independents	150
Roman Catholics	47,900
Presbyterians	1,650
Other religious communions	22,178

No. 2.—CHURCH OF ENGLAND.

Number of Anglicans	17,900
Number of habitual communicants	1,432
Number of churches and chapels	26
Number who attend the ordinary services of the Church	3,423
Annual number of baptisms	785
Ditto ditto confirmations	327
Ditto ditto marriages	120
Number of Schools in connection with the Church:	
Daily	23
Sunday	16
Number who attend and are taught in the Schools:	
Daily	956
Sunday	492

No. 6.
Trinidad.

No. 3.—Roman Catholics.

Number of Roman Catholics	47,900
Number of churches and chapels	32
Number who attend the services of the Church	6,250
Annual number of baptisms	2,090
Ditto - - ditto marriages	380
Number of schools in connection with the Church	11
Number who attend and are taught in the schools	569

No. 4.—Wesleyans.

Number of Wesleyans	3,000
Church members	868
Number of churches and chapels	17
Number who attend the ordinary services of the Church	1,720
Annual number of baptisms	61
Ditto - - ditto marriages	10
Number of schools in connection with the Church	7
Number who attend and are taught in the schools	273

No. 5.—Baptists.

Number of Baptists	1,660
Members	346
Number of churches and chapels	8
Number who attend the ordinary services of the Church	575
Annual number of baptisms (adult)	17
Ditto - ditto marriages	13
Number of schools in connection with the Church	10
Number who attend and are taught in the schools	256

No. 6.—Presbyterians.

Number of Presbyterians	1,650
Number of churches and chapels	6
Number who attend the ordinary services of the Church	825
Annual number of baptisms	—
Ditto - ditto marriages	—
Number of schools in connection with the Church	2
Number who attend and are taught in the schools	15

No. 7.—Church of England.

Return showing how many of the Anglican Churches and Schools are served or superintended by Clergymen paid from Parliamentary Grant, &c.

Number of clergy paid partly from Parliamentary Grant	4
Lay readers paid from Parliamentary Grant	3
Amount paid from Parliamentary Grant	450 *l.*
Number of schools receiving assistance from the funds of the Christian Faith Society	3
Amount paid by Christian Faith Society	57 *l.* 10 *s.*

No. 8.—Church of England.

Return showing the Provision made by the Local Legislature for the Anglican Church, and how far by permanent or terminable Grants.

Amount voted by Local Legislature for the Anglican Church - 5,675 *l.*
Borne on the fixed establishment of the Colony.

Remarks.—One archdeacon, 500 *l.*; one rector, 600 *l.*; six rectors, 2,100 *l.*; one island curate, 400 *l.*; five island curates, 750 *l.*; three assistant curates, 300 *l.*; two chaplains, 100 *l.*; two chaplains, 41 *l.* 13 *s.* 4 *d.*; one clerk, 50 *l.*; 16 clerks and sextons, 333 *l.* 6 *s.* 8 *d.*; allowances for house rent, 400 *l.*; allowances to keep in repair rectory houses, 100 *l.*

No. 9.—Roman Catholic Church.

No. 6.
Trinidad.

Return showing the Provision made by the Local Legislature for the Roman Catholic Church, and how far by permanent or terminable Grants.

Amount voted by Local Legislature for the Roman Catholic Church, 5,230*l.*
Borne on the fixed establishment of the Colony.

Remarks.—One archbishop, 1,000*l.*; one curate, 300*l.*; 20 curates, 3,000*l.*; five assistant curates, 650*l.*; one assistant curate, 100*l.*; sacristan mayor, 130*l.*; allowance for house rent, 50*l.*

BARBADOS.

No. 7.
Barbados.

— No. 7. —

(No. 234.)

Copy of a DESPATCH from Governor *Walker*, C. B., to his Grace the Duke of *Newcastle*, K. G.

Governor Walker to his Grace the Duke of Newcastle, K.G.

Windward Islands, Barbados,
11 March 1864.

My Lord Duke,

In obedience to the commands conveyed in your Grace's Circular Instruction of the 15th of January last, I lost no time in placing the Despatch in the hands of the Bishop of the Diocese, and I have now the honour to annex a letter from the Archdeacon of Barbados, enclosing the information required by your Grace respecting the Anglican and other churches in this island.

10 March 1864.

2. I also transmit herewith a memorandum of the answers which I have been able to make to your Grace's queries from such materials as were within my reach. And I forward, in separate Despatches, the answers from the other islands of this government.

3. I have already had occasion to mention to your Grace that the health of the Bishop is greatly impaired. On the present occasion we have avoided troubling him, and the Archdeacon, as will be observed, has compiled the information required. His Lordship proposes to embark for England in the early part of next month, and I regard it as extremely unfortunate that he will not be in a condition to give Mr. Fortescue the least assistance in reference to Mr. Adderley's motion.

4. I also enclose in this Despatch copies of a statistical account of the diocese, prepared by the Bishop, and published here some little time ago.

2.

5. Referring to the absence in Barbados of all public provision for other than the Church of England, I may mention to your Grace that, in the early part of 1862, a few months after my arrival here, a vote was passed by the Assembly for 450*l.* to the Wesleyan Ministry of St. Philip's parish alone; but its discussion gave rise to some very unseemly language, and to a tone of menace on the part of one or two of the Wesleyan clergymen, in consequence of which the grant was thrown out in the Council without a dissentient voice, and the proposal has not since been renewed.

I have, &c.
(signed) *James Walker.*

Enclosure (A).

Archdeacon of Barbados to Governor *Walker*, C. B.

Sir,

Bishop's Court, Barbados, 10 March 1864.

I have the honour to enclose to your Excellency the particulars relative to the Church of England in this diocese, asked for in the Despatch of the Secretary of State, dated January the 15th. I trust that the form in which I have embodied the information required will be considered by your Excellency as satisfactory. I could have wished to have been able to obtain more accurate information, especially in the case of some of the

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other islands of the diocese, than I have as yet done in regard to some of the particulars stated; but, as the matter is one that does not admit of further delay, I have supplied the most accurate information in my possession, without attempting, in all instances, to bring it up to the latest date. Should your Excellency detect any inaccuracies in the statements that I have made with regard to the legislative provision for the clergy in the different Colonies, I should be much obliged by your having them corrected.

I have, &c.

His Excellency Governor Walker, C.B. (signed) *H. H. Parry.*

Sub-Enclosure 1 to (A).

TABLE I.—Giving, in a general form, the Particulars relative to the ANGLICAN CHURCH in the Diocese of BARBADOS, asked for under heads 1, 2, and 3, of the Despatch of the Secretary of State, dated 15th January 1864.

DIOCESE OF BARBADOS, 1864.

COLONIES.	Extent in Square Miles.	Population by last Census.	Number belonging to the Anglican Church.	Clergy.	Churches and Chapels.	Number accommodated in Churches and Chapels.	Number usually attending Divine Service on the Sunday.	Number of Communicants.	Number of Baptisms annually.	Number Confirmed in the 15 Years ending 31 Dec. 1860.	Number of Marriages annually.	Schools connected with Anglican Church. Weekday. Number.	Weekday. Attendance.	Sunday. Number.	Sunday. Attendance.
Archdeaconry of Barbados:			at least				about								
Barbados	166	152,275	135,000	49	46	27,350	25,000	9,000	5,800	14,363	575	112	6,240	26	2,360
St. Vincent and the Grenadines	142	31,755	13,652	8	14	4,272	4,000	1,270	986	2,341	88	19	874	9	455
St. Lucia	180	27,480	1,538	2	3	412	400	60	57	285	8	*see* Observations.			
Archdeaconry of Trinidad:															
Trinidad	2,400	85,000	say 20,000	15	26	5,253	4,400	1,600	802	2,066	110	20	1,057	21	1,373
Grenada and Cariacou	127	31,900	9,491	9	11	3,035	2,300	970	609	1,602	70	14	650	7	190
Tobago	100	15,410	say 10,000	5	7	3,080	2,500	900	360	1,870	30	8	500	7	866
TOTALS	3,115	343,810	169,681	88	107	43,402	38,600	13,800	8,814	22,527	881	173	9,321	70	5,244

* For further particulars *see* Observations on Table I.

OBSERVATIONS ON TABLE I.

I. Number belonging to the Anglican Church.

(*a*). In Barbados no classification of the population according to religion was made at the last census. The numbers given, therefore, in the foregoing table can only be considered as representing the probable proportion of members of the Anglican Church after allowing for those claimed by the Moravians and Wesleyans. Even of them the larger majority have been baptised in the Anglican Church. The number of Roman Catholics in the island, exclusive of the soldiers quartered in the garrison, is certainly under 100.

(*b*). In St. Lucia the number is stated according to the Blue Book of 1862. The remainder of the population are, I believe, all Roman Catholic.

(*c*). In St. Vincent the proportions of the various religious denominations to the Established Church was thus stated in the last census:

Anglicans	13,652
Roman Catholics	2,756
Wesleyans	14,177
Presbyterians	67
Mahommedans	15
Others	11

It is to be observed, however, that the numbers claimed by the Wesleyans are considered by the clergy of St. Vincent to be greatly in excess of the true amount, the Wesleyans having at the taking of the last census sent out their "leaders" and others to fill up the returns for those who were unable to write. In this island, too, the large majority of children claimed as belonging to the Wesleyans have been baptised by the clergy of the Anglican Church.

(*d*). In

(*d*). In Grenada, the population was by the last census distinguished as follows:

Church of England	9,491
Church of Rome	19,337
Church of Scotland	246
Wesleyan Methodists	1,781
Other Christian Denominations	18
Heathen	1,021

(*e*). In Tobago no division of the population according to religion was made at the last census. The large majority are members of the Anglican Church.

(*f*). Of Trinidad accurate statistics have been furnished by the Archdeacon of Trinidad to his Excellency Governor Keate.

II. Clergy.

The number stated in the foregoing Table represents the full staff of the diocese, including present vacancies, and also the Archdeacons of Barbados and Trinidad, the principal and tutor of Codrington College, and others engaged chiefly in educational work.

III. Churches and Chapels.

Under this head are included a few temporary places of worship.

IV. Usual attendance on the Sunday.

The figures given represent the attendance at Divine worship on any one given Sunday, taking all services into account; and may be considered, therefore, as showing approximately the number of regular attendants.

V. Schools.

(*a*). In St. Lucia there are no schools directly in connection with the Church of England, but there are in the island 11 Mico schools, with 979 children on their lists in 1862, in which the Scriptures, the Creed, the Lord's Prayer, and the Ten Commandments are taught, and the children are accustomed to the English language. Six Roman Catholic schools, with 525 children on their lists in 1862 (212 of them being girls educated by the Sisters of St. Joseph and the nuns of the convent). One private school, with 17 children on the list.

(*b*). In Trinidad the Government has since the year 1842 adopted the principle of State education. The schools noticed in the foregoing table are in addition to those maintained by the Government.

(*c*). In Grenada a similar principle has been partially adopted, there being a nominal school maintained by the Government in the principal town.

N. B.—The foregoing table states only the average attendance of children at the schools. The whole number of children on the school lists would be at least one-third more.

Sub Enclosure 2 in (A).

TABLE II.—SHOWING the PROVISION made by the Local Legislatures of the different Colonies comprised in the Diocese of *Barbados* for the Maintenance of the CLERGY of the ANGLICAN CHURCH.

DIOCESE OF BARBADOS, 1864.

COLONIES.	Archdeacon.	Rectors.	Island Curates.	Assistant Curates.	Allowances to Chaplains of Gaols, &c.	TOTALS.
Archdeaconry of Barbados:						
Barbados	-	11 at 3,320 *l.*	-	27 at 5,400 *l.*	1 at 300 *l.*; others 94 *l.* 2 *s.*	39 at 9,314 *l.*
St. Vincent and the Grenadines	-	4 at 1,456 *l.*	1 at 250 *l.*	3 at 450 *l.*	50 *l.*	8 at 2,206 *l.*
St. Lucia	-	-	2 at 400 *l.*	-	-	2 at 400 *l.*
Archdeaconry of Trinidad:						
Trinidad	1 at 500 *l.*	8 at 3,050 *l.*	5 at 1,100 *l.*	3 at 520 *l.*	94 *l.* 16 *s.* 8 *d.*	17 at 5,264 *l.*
Grenada and Cariacou	-	5 at 1,410 *l.*	-	2 at 360 *l.*	56 *l.*	7 at 1,826 *l.*
Tobago	-	3 at 960 *l.*	-	1 at 100 *l.*	-	4 at 1,060 *l.*
TOTALS	1 at 500 *l.*	31 at 10,396 *l.*	8 at 1,750 *l.*	36 at 6,830 *l.*	1 at 300 *l.*; others 294 *l.*	77 at 20,070 *l.*

See Observations on Table II.

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Barbados.

Observations on Table II.

The provision for maintenance of the clergy of the Anglican Church, stated in the foregoing table, is made in the case of—

Barbados, by permanent endowment,* though the actual amount of the salaries depend upon a Legislative Act limited to the term of five years.

Grenada, the rectors' salaries are by permanent grant *; those of the curates, and allowances for house-rent, &c., by annual vote.

St. Vincent, by Act of the island for a limited period.

St. Lucia, by Act of the island for a limited period.

Tobago, by Act of the island for a limited period.

Trinidad, by ecclesiastical ordinance of the Governor in Council, passed in the year 1844.

In *Barbados* and *Trinidad* the rectories have all of them parsonage-houses and glebes attached to them, and some of the curacies have also residences attached, to the erection of which the Legislature has, in most instances, contributed largely. In the other islands of the diocese, the clergy have, in some cases, houses provided them, in others, an allowance for house-rent in lieu of a house. Such allowances are included in the amounts stated in the foregoing table.

Frequent grants have been made by the Legislatures of the different Colonies, towards the erection and repair of churches and chapels.

In *Barbados*, no fixed allowances are made to any other ministers than those of the Church of England.

In *St. Lucia*, the Colony allows to nine Roman Catholic priests 100 *l.* each, with a house and glebe.

In *St. Vincent*, the Colony allows to one Presbyterian minister 300 *l.*; the Wesleyans (building fund) 300 *l.*

In *Grenada*, the Colony allows to one Presbyterian minister 294 *l.*

In *Tobago*, there are no fixed salaries paid by the Colony to any other minister than those of the Church of England.

III. Parliamentary Grant (2,000 *l.* per annum).

Twenty clergy of the diocese of Barbados, receive allowances from this grant in addition to their incomes from other sources; but in no case is the salary of a clergyman paid wholly from this grant. It has in general, as regards the clergy, been employed by the Bishop in providing for special exigencies, or in adding to the provision made by the Local Legislatures, either in cases when that provision was in itself insufficient, or when the case was one of special importance, or some long or extra service was considered as constituting a claim to an increase of income.

Nine readers and catechists are also at the present time receiving allowances from this grant, who are in most instances, receiving besides small incomes as schoolmasters.

With the exception of about 150 *l.* of a grant from the society for the advancement of the Christian faith, there are, independently of the Parliamentary Grant, no other public funds available to the maintenance of the clergy in the different islands of the diocese, besides the provision made by the several Local Legislatures. The pew rents are in all cases small, and are devoted to the payment of subordinate Church officers and the repairs of the ecclesiastical buildings. The offertory collections are devoted to the relief of the poor, except when especially made for purposes of Church extension or for missionary work.

(signed) *H. H. Parry*,
Archdeacon of Barbados.

Barbados, 10 March 1864.

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* In each case (*i. e.*) by an Act of the Local Legislature.

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Enclosure (B.)

Barbados.

1. The population of the Colony, 152,727.

2. The division of the population into Anglicans, Wesleyans, Baptists, Independents, Roman Catholics, Presbyterians, and other religious communions.

In the last census there was no classification of creeds. The number of Moravians is stated, however, to be near 3,000; Wesleyans, 10,500; Roman Catholics (exclusive of military), 165; Jews, 30.

There are no other sects in the island, and the Church of England, therefore, claim the balance of the population.

3. Church of England:—

Number of habitual communicants.
(This information will, no doubt, be supplied by the Bishop).

Number of churches and chapels.

Churches, 11; chapels, 32.

Number who attend the ordinary service of the church.

Returned for 1862 at 18,520.

Annual number of baptisms, confirmations, and marriages.

The baptisms returned for 1862, were 6,506; the marriages, 569. The number of confirmations will be given by the Bishop.

The number of schools, in connection with the churches, and average numbers who attend and are taught, distinguishing daily from Sunday schools.

Returned for 1862: 126 weekly, with 9,859 scholars; 37 Sunday, with 1,883 scholars.

4. Same particulars in regard to each of the other religious divisions:—

Number of Habitual Communicants:—

Moravian	1,184
Wesleyan	2,935
Roman Catholic	70

Number of Churches and Chapels:—

Moravian	4
Wesleyan	16
Roman Catholic	1
Hebrew	1

Number who attend the ordinary Service of the Church:—

Moravian	2,700
Wesleyan (all)	10,521
Roman Catholic (including military.)	230
Hebrew	12

Annual Number of Baptisms:—

Moravian (in 1863)	103
Wesleyan	(no return)
Roman Catholic	24
Hebrew	(none since 1860)

Annual Number of Confirmations:—

Moravian	62
Wesleyan	—

Annual Number of Marriages:—

Moravian	4
Wesleyan	(no return)
Roman Catholic	3
Hebrew	(none since 1859)

The Number of Schools in connection with the Churches:—

Moravian, 15 schools:—

Weekly scholars	787
Sunday scholars	358

Wesleyan:

Weekly } 19, with 2,469 scholars.
Sunday }
(No distinguishing return.)

Roman Catholic	none.
Hebrew	none.

5. Anglican Church: how many of the chapels and schools are served or superintended by clergymen paid from the Parliamentary Grant, and how many by clergymen paid from other funds?

Out of Imperial funds the curates of four chapels, in addition to their colonial pay, receive 50*l.* each	£. 200
Two curates receive 100*l.*	200
One curate receives	125
Chaplain to prisons	50
£.	575

The remainder of the clergy are paid from the Colonial Treasury.

6. The

No. 7.
Barbados.

5. The provision made by the Local Legislature for the Anglican Church, and for other ministries; and how far by permanent or terminable grants.

	£.	s.	d.
Provision is made by law for the stipends of 11 rectors, at 320*l.* 10*s.* 3*d.* - - - - - - - - - -	3,525	12	9
And for 27 curates, at 200*l.* - - - - - - - - -	5,400	–	–
£.	8,925	12	9

These appropriations are permanent; each rector has a glebe and a parsonage, which is kept in repair at the expense of the parish, and most of the curates are provided with a residence.

Grants are frequently made from the public treasury to assist in the erection or repair of the Wesleyan chapels, but no provision is made for the ministry of any but the Church of England.

The Dissenters share also in the monies provided for educational purposes.

Barbados, 10 March 1864. *J. W.*

No. 7.
Barbados.

Enclosure (C).

STATISTICAL ACCOUNT of the Diocese of *Barbados*, at the Commencement of the Year 1861, Collected from Diocesan Returns and other Authentic Sources.

NOTE.

Bishop's Court, 27 November 1861.

In the year 1834, and again in 1841, a statistical account of the then Diocese of Barbados and the Leeward Islands was put forth under the auspices of the Bishop, exhibiting the progress made at different periods in that portion of the West Indian Church. The intention of the following tables and remarks is to furnish similar information respecting the present more limited Diocese of Barbados. Properly, this account should have appeared much earlier; but where so many communities are concerned it is difficult to obtain full and accurate information without much delay; and when the information has been collected and arranged, much more time is, of necessity, occupied in the operations of the press than would be required in England.

In compiling and digesting the following statistical account, considerable assistance has been given by the Venerable the Archdeacons (of Barbados and of Trinidad), and by the Rural Dean of Grenada. The Bishop's earnest thanks are also due to all the other clergy, and, in particular, to the Rural Deans of Trinidad and of St. Vincent, for their diligence in furnishing, to the utmost of their power, the information requested of them.

It is, however, to be regretted that, with all this assistance, the account is not still more full and complete.

T. B.

The Diocese of Barbados is divided into the Archdeaconries of Barbados and Trinidad.

The Archdeaconry of Barbados comprises the islands of Barbados, St. Vincent, with some of the Grenadines, and St. Lucia.

The Archdeaconry of Trinidad comprises the islands of Trinidad, Grenada, with some of the Grenadines, and Tobago.

Bishop of the Diocese:—The Right Rev. Thomas Parry, D.D.; consecrated 1842.

Chancellor of the Diocese—The Hon. J. Sealy, M.A. | Registrar of the Diocese—S. Husbands, Esq.

Archdeacons:

Barbados—Ven. Charles Lawson, M.A.—1842. | Trinidad—Ven. George Cummins, M.A.—1842.

Rural Deans:

Barbados—Rev. R. F. King.
St. Vincent—Rev. F. A. Browne, S.C.C.
Trinidad—S. L. B. Richards, S.C.C.
Grenada—Rev. C. A. Newsam, S.C.C.

Chaplains to the Bishop:

Rev. Thomas Clarke, M.A.
Rev. E. P. Smith, M.A.
Rev. H. H. Parry, M.A.
Rev. H. Richards, S.C.C.
Rev. H. W. Laborde, B.A.

Codrington College, Barbados:

Visitor—The Right Rev. Thomas Parry, D.D.
Principal—Rev. R. Rawle, M.A., late Fellow of Trinity College, Cambridge.
Tutor—Rev. H. Prideaux, M.A., late Scholar of Lincoln College, Oxford.
Medical Lecturer—R. B. Walcott, B.L.; Paris, M.B.; London, M.R.C.S.E. and L.S.A.

College Council:

President—The Right Rev. the Lord Bishop of the Diocese
Vice-President—The Right Rev. the Lord Bishop of Antigua.

The Principal
The Tutor
The Medical Lecturer
} *Ex-officio.*
Hon. G. E. Thomas, M.D.
Hon. J. Sealy, M.A.
Hon. N. L. Young, M.D.
Hon. C. Packer.
J. L. Wilkinson, Esq., M.C.P.
Rev. J. Bradshaw, M.A. and M.D.

Codrington Collegiate School:—Head Master—Rev. W. T. Webb, S.C.C.

ECCLESIASTICAL STATEMENT, 1861.

ARCHDEACONRY OF BARBADOS.

ISLAND OF BARBADOS.

Name, Extent, and Population of Parish.	Parish Church, Chapel, Chapel School, &c.	Dimensions in Feet.	Built, A. D.	Cost in Sterling £.	Consecrated or Licensed.	Number of Sittings.	Attendance at Chief Service.	Communicants.	Clergy, with Degree, &c.	Appointment and Date.
St. Michael's, 15 square miles; Population, 43,766.	The Cathedral and Parish Church	100 by 61, and chancel.	Rebuilt, 1789 - -	not known	- - -	1,950	1,400	1,100	T. Clarke, M. A. - - -	Rector and chaplain to Her Majesty's Council, 1842.
									A. H. Bishop, S. C. C. - -	Assistant curate, 1860.
	St. Mary's Chapel - - -	84 by 54	1827 - - -	8,666	27 July 1827 - -	1,420	1,000	340	F. B. Grant, M. A. - - -	Curate, 1853.
	St. Paul's Chapel - - -	76 by 52, and chancel.	Built and destroyed, 1831; rebuilt, 1832.	2,000	24 May 1831; licensed, as if re-consecrated, 25 October 1833.	1,360	800	500	H. R. Redwar, S. C. C. - -	Curate, 1848.
	St. Ambrose - - - -	75 by 50, and chancel.	1857 - - -	1,666	1 January 1858 -	832	775	184	J. S. Mayers, B. D. - -	Curate, 1858.
	St. Leonard's - - - -	60 by 30, and chancel.	1854 - - -	1,700	3 February 1854 -	346	300	245	E. G. Sinckler, S. C. C. - -	Curate, 1855.
	St. Stephen's - - - -	75 by 45, and chancel.	1836; the chancel added since.	862	8 December 1836 -	530	250	120	C. Wood - - - - -	Acting curate, 1856.
	St. Matthew's - - - -	68 by 65, and chancel.	1829; destroyed, 1831; rebuilt, 1832, since added to.	1,436	18 March 1830; licensed, as if reconsecrated, 16 March 1833.	600	450	200	G. M. Clinckett, S. C. C. - -	Curate, 1845.
	St. Barnabas - - - -	62 by 26, and chancel.	1838; since added to	800	9 October 1839 -	300	200	80	F. A. Rock - - - -	Curate, 1851.
	St. Giles' School-house - -	50 by 25	1836 - - -	333	Licensed - - -	140	45	–		
Christ Church, 22⅛ square miles; Population, 17,306.	The Parish Church - - -	85 by 39, and chancel.	Rebuilt, 1837 - -	6,000	4 July 1837 - -	1,200	1,200	300	A. Reece, S. C. C. - -	Rector, 1859.
									N. H. Greenidge, S. C. C. - -	Assistant curate, 1859.
	St. Matthias' Chapel - - -	70 by 44, and chancel.	1841 - - -	4,000	2 August 1850 -	652	600	200	C. H. Grayfoot, S. C. C. - -	Curate, 1859.
	(Used for the troops) - -	- - -	- - -	- -	- - -	–	600	30	H. H. Parry, M. A. - -	Chaplain to the troops 1860.
	St. Bartholomew's Chapel - -	70 by 35, and transepts.	Built and destroyed, 1831; rebuilt, 1832; wings added, 1838.	600	27 May 1833 - -	502	400	140	W. Eversley, S. C. C. - -	Curate, 1848.
	St. Patrick's Chapel - - -	60 by 60, and chancel.	1842 - - -	900	19 April 1843 - -	645	400	80	John Drayton, S. C. C. - -	Curate, 1860.
	St. David's Chapel - - -	55 by 26, and chancel.	1840; since added to	560	9 April 1840 - -	300	250	80	T. W. Greenidge, S. C. C. -	Curate, 1860.
	St. Lawrence's Chapel School -	50 by 40	1837 - - -	366	5 November 1839 -	220	120	65		

St. Phillips, 23½ square miles; Population, 16,793.	The Parish Church	86 by 46, and chancel.	Rebuilt, 1836	4,000	20 October 1836	900	600	260	R. F. King, rural dean	Rector, 1832.
	Holy Trinity Chapel	74 by 26, and transepts.	1829; destroyed, 1831; rebuilt, 1832; wings added, 1838.	725	25 November 1830; licensed, as if re-consecrated, 9 December 1832.	520	400	210	C. Carter	Curate, 1850.
	St. Martin's Chapel	73 by 44, and chancel.	1860	2,600	26 July 1860	525	300	140	E. L. Smith, S. C. C.	Curate, 1860.
	St. Catherine's Chapel School	40 by 20	1841	250	Licensed	140	40	–	United with St. Mark's.	
St. John's, 13½ square miles; Population, 9,125.	The Parish Church	76 by 46	Rebuilt, 1836	4,000	23 June 1836	1,200	900	500	J. H. Gittens, B. A.	Rector, 1820.
	St. Mark's Chapel	60 by 30	1829; destroyed, 1831; rebuilt, 1832.	570	16 December 1829; licensed, as if re-consecrated, 11 January 1833.	320	300	210	E. Barnett	Curate, 1850.
	The Society's Chapel	60 by 48, with chancel and south transepts.	1822; destroyed, 1831; rebuilt, 1832; since added to.	1,200	30 July 1833	636	430	308	M. W. Blagg, Th. A. K. C.	The society's chaplain, 1860.
St. Joseph's, 9½ square miles; Population, 7,263.	The Parish Church	70 by 40	Rebuilt, 1839	1,917	9 August 1839	762	600	350	J. Bradshaw, B. A. and M. D.	Rector, 1858.
	St. Ann's Chapel	73 by 38, and chancel.	1854	2,000	8 February 1855	410	120	80	Vacant.	
St. Andrew's, 13½ square miles; Population, 7,047.	The Parish Church	60 by 40	Rebuilt, 1855	–	Licensed	630	400	200	J. Hutson	Rector, 1839.
	St. Saviour's Chapel School	50 by 50, cruciform.	1848	800	Licensed	386	240	90	C. J. Branch, S. C. C.	Curate, 1857.
	St. Simon's	55 by 22	1840; rebuilt, 1855	250	Licensed	210	190	60		
St. Lucy's, 3½ square miles; Population, 8,707.	The Parish Church	96 by 46	Rebuilt, 1837	3,000	5 August 1837	1,200	750	320	G. D. Gittens, S. C. C.	Rector, 1855.
	St. Swithin's Chapel	34 by 16, besides chancel and transepts.	1844	625	Licensed	500	200	200	H. B. Skeete, S. C. C.	Curate, 1840.
	St. Clement's Chapel		1860; unfinished	2,000 estimated cost.		700	–	–		
St. Peter's, 13 square miles; Population, 10,564.	The Parish Church	81 by 42, and chancel.	Rebuilt, 1837	3,000	9 February 1837	1,000	600	360	William M. Payne	Rector and chaplain to House of Assembly, 1841.
	All Saints' Chapel	60 by 30	1843	2,100	10 April 1843	380	300	250	H. W. Moore, S. C. C.	Curate, 1843.
	Welch Town School	40 by 20		–	Licensed	150	100	–		
	The Cemetery Chapel	36 by 18, and chancel.	1853	430	25 October 1853	150	—			
St. James's, 12 square miles; Population, 8,483.	The Parish Church	54 by 41, and chancel.	Supposed to be the oldest church in the island.	not known		372	300	300	C. Lawson, M. A., Archdeacon (absent on leave).	Rector, 1848.
									P. B. Austin, S. C. L.	Curate
	St. Silas' Chapel	50 by 25	1849	550	27 December 1849	268	250	150	E. P. Smith, M. A. (absent)	Curate, 1856.
	St. Alban's Chapel School	70 by 21	1840	330	Licensed	120	100	50	E. S. Thorne, S. C. C. and A. K. C.	Acting curate.
St. Thomas, 12½ square miles, Population, 9,879.	The Parish Church	83 by 45	Rebuilt, 1837	2,666	20 June 1837	758	450	400	W. H. Bovell, B. A.	Rector, 1837.
	Holy Innocents' Chapel	60 by 60, cruciform.	1839	1,333	28 December 1839	750	560	250	E. Hutson, S. C. C.	Curate, 1856.

Name, Extent, and Population of Parish.	Parish Church, Chapel, Chapel School, &c.	Dimensions in Feet.	Built A. D.	Cost in Sterling.	Consecrated or Licensed.	Number of Sittings.	Attendance at Chief Service.	Communicants.	Clergy, with Degree, &c.	Appointment and Date.
				£.						
St. George's, 16¾ square miles; Population, 13,339.	The Parish Church	80 by 40, and chancel.	1784	Not known		900	900	370	C. C. Cummins G. M. D. Frederick, S. C. C.	Rector, 1841. Assistant Curate, 1857.
	St. Luke's Chapel	85 by 46, cruciform.	1830; destroyed 1831; rebuilt 1832; since added to.	500	27 November 1830 - Re-opened May 1832.	666	560	140	A. J. Pile, M. A.	Curate, 1853.
	St. Jude's Chapel	81 by 26, and transepts.	1834	780	2 February 1836	630	560	200	J. Piggott	Curate, 1852.
	St. Augustine's School	33 by 28	-	-	Licensed	200	200	–	B. C. Norville	Assistant Curate, 1858.
Extra-parochial	Codrington College	-	-	-	-	–	-	–	R. Rawle, M. A. W. H. Prideaux, M. A.	Principal, 1847. Tutor, 1860.
	Codrington Grammar School	-	-	-	-	–	-		W. T. Webb, S. C. C.	Head Master, 1850.
	The Prisons	-	-	-	-	–	-	–	T. Rowe	Chaplain, 1854.
Total Extent, 166 square miles.		Total Population, 152,272.		Forty-three Places of Worship.		26,360	22,140	8,742	Forty-four Clergy.	

ISLAND OF ST. VINCENT.

United Parishes of St. George and St. Andrew; length, 10 miles; Population, 4,000.	St. George's Church (Kingston)	100 by 60	1820	20,000		1,000?	800	625	H. W. Laborde, M. A.	Rector, 1852.
	St. Mary's Chapel (Buccament)	60 by 30	1859	1,250	15 May 1860	300?	200	89	C. L. Peterson (St. A. Coll.).	Assistant Curate, 1860.
United Parishes of St. Patrick and St. David, 18 square miles; Population, 4,500.	St. Patrick's Church (Barouallie)	75 by 43	1841	2,260	26 May 1843	500	300	150?	H. Collymore, S. C. C.	Rector, 1857.
	Layou, Temporary Place of Worship.	-	-	-	-	100?	60	–	G. F. Laurie, S. C. C.	Assistant Curate, 1858.
	St. David's Church (Chateau-bel-air).	45 by 50, cruciform.	-	-	16 December 1853	160	75	36	(Vacant.)	
	Cumberland Ridge Chapel School	40 by 20	-	-	-	100?	50	–		

Charlotte parish, 34 square miles; Population, 8,500.	Holy Trinity Church (Georgetown).	70 by 45	1841	2,666	24 May 1843	600	400	--	T. A. Browne, S. C. C.	Rector, 1842.
	Temporary Place of Worship in Lawder's Valley.	33 by 12	-	-	-	300	150	261		
	Temporary Place of Worship at Orange Hill.	50 by 15	-	-	-					
	Mesopotamia Chapel School	63 by 42, cruciform.	1845	273	Licensed	300	100	-	T. H. Cuppage, B. A.	Assistant Curate, 1860.
	Mount Grennan Chapel School	43 by 36	1853	75	Licensed	200	45	-		
St. Paul's, 20 square miles; Population, 5,000.	St. Paul's Chapel (Calliaqua)	60 by 40	1840	1,385	5 March 1840	412	180	171	H. N. Huggins, S. C. C.	Curate, 1856.
St. Mary's, over 27 miles long; divided into several small islands; Population, 2,000.	St. Mary's Church (Bequia)	60 by 30	1829	2,300	2 July 1833	300	200	183	J. Connell, S. C. C.	Rector, 1856.
	Chapel School at Union Island	70 by 20	1838	-	-	100?	-	-		
	Seven Parishes.	Population, 24,000.		Fourteen Places of Worship.		4,372	2,560	1,515	Eight Clergy.	

ISLAND OF ST. LUCIA.

There are no Ecclesiastical divisions in St. Lucia. The whole number of Protestants is about 1,000.	Holy Trinity Church (Castries)	72 by 30	1832	-	28 May 1843	160	65	24?	E. J. Hawkins	Minister and Officiating Chaplain to Her Majesty's forces, 1846.
	Christ Church (Souffriere)	40 by 21	1849	-	5 May 1849	96	64	36	W. T. Bowen, S. C. C.	Minister, 1860.
	Grace Church (Riviere D'Oree)	50 by 28	1849	900	4 May 1849	156	150			

ISLAND OF TRINIDAD.

Name, Extent, and Population of Parish.	Parish Church, Chapel, Chapel School, &c.	Dimensions in Feet.	Built, A. D.	Cost in Sterling.	Consecrated or Licensed.	Number of Sittings.	Attendance at Chief Service.	Communicants.	Clergy, with Degree, &c.	Appointment and Date.
				£.						
Parish of the Holy Trinity, whole Population, 21,390; Church of England, 5,139.	Trinity Church (Port of Spain) -	150 by 60	1823 - - -	40,000	1823 - - -	1,650	1,000	–	S. L. B. Richards, S. C. C. (Rural Dean of Trinidad).	Rector, 1848.
	St. Matthias' Chapel (Laventille)	36 by 18	1858 - - -	510	3 July 1858 - -	120	70	500	W. A. Allder, S. C. C. - -	Assistant curate, 1860.
	Chapel School (Belmont) - -	32 by 18	1859 - - -	156	Licensed - - -	60	40			
	All Saints' Chapel (Port of Spain)	70 by 30	1846 - - -	1,527	11 April 1848 - -	240	200	–	W. D. M. Arrindell, S. C. C. -	Curate, 1860.
St. Andrew's and St. Philip's, whole Population, 4,985; Church of England, 1,747.	St. Andrew's Church (Couva) -	70 by 35	1841 - - -	2,000	5 May 1843 - -	250	140	69	G. Jemmett, S. C. C., and B. A. -	Rector, 1853.
	St. Sylvan's Chapel (Freeport) -	26 by 13, chancel, 9 by 9	1853 - - -	150	Licensed - - -	70	45	–		
	St. Philip's Church (Savanetta) -	45 by 22, chancel, 16 by 16	1858 - - -	650	1 May 1858 - -	195	100	24	Curacy vacant, January 1861.	
St. Mary's, whole Population, 3,788; Church of England, 1,131.	St. Mary's Church (Tacarigua) -	72 by 32	1843 - - -	2,200	6 May 1843 - -	300	220	125	H. Richards, S. C. C. - -	Rector, 1846.
	Temporary Place of Worship (Arouca).	- - -	- - -	- -	- - -	100	70			
St. Paul, whole Population, 5,068; Church of England, 1,589.	St. Paul's Church (San Fernando)	64 by 34, chancel, 26 by 18	1841 - - -	2,300	9 May 1843 - -	350	350	156	T. Gilbert, C. M. S. - - -	Rector, 1845.
	St. Clement's Chapel (N. Naparima).	56 by 26	1853 - - -	1,000	28 August 1853 -	200	160	50	S. F. Branch, S. C. C. (D.) -	Curate, 1860.
St. Stephen, whole Population, 3,806; Church of England, 1,632.	St. Stephen's Church (Savanna Grande).	65 by 30, chancel, 22 by 15	1857 - - -	758	6 May 1858 - -	300	95	–	C. J. Gillett, A. St. A. - -	Rector, 1860.
	Temporary Place of Worship (Dunmore Hill).	38 by 24	- - -	- -	- - -	80	20	94	Assisted by	
	Temporary Place of Worship (Williamsville).	36 by 28	- - -	- -	- - -	80	35	–	Mr. W. W. Jamieson - -	Licensed reader.
St. Luke, whole Population, 5,593; Church of England, 1,606.	(No Parish Church).									
	St. Barnabas Chapel (Belmont, S. Naparima).	66 by 22	1836; enlarged in 1855.	829	Licensed - - -	140	217	120	P. Le Maistre, M.A. - -	Rector, 1851.
	Chapel School (St. Jean Baptiste)	40 by 30	1859 - - -	385	Licensed - - -	120	56			
St. Michael, whole Population, 4,457; Church of England, 791.	St. Michael's Church (Diego Martin).	70 by 35	1846 - - -	850	7 April 1848 - -	240	100	57	Alfred E. Eckel, C. M. S. - -	Island curate, 1855.
	Temporary Place of Worship (Carenage).	34 by 20	- - -	- -	Licensed - - -	68	60	–		
	Temporary Place of Worship (Cocorite).	- -	- - -	- -	Licensed - - -	50	25	–		

St. Thomas, whole Population, 1,217; Church of England, 396.	St. Thomas' Church (Chaguanas)	50 by 25	1840	800	4 May 1853	180	80	–	J. J. M. Sowell, B.A. (D.)	Officiating minister, 1858.
St. John, whole Population, 5,213; Church of England, 500.	St. John's Temporary Place of Worship (Aricagua).	30 by 16	1853	150	Licensed	80	75	55	R. Crichlow	Island curate, 1854.
St. Matthew, whole Population, 1,939; Church of England, 379.	St. Matthew's Church (Oropouche)	40 by 20	1842 Re-built, 1852	500 300	Licensed	160	60	14	G. G. Dunn, S. C. C.	Island curate of St. Matthew, and officiating minister of St. Peter's, 1854.
	Temporary Place of Worship (Claxton's Bay, St. Peter's).		1840	250	Licensed	100	60	11		
Christ Church, whole Population, 2,352; Church of England, 501.	(No Parish Church or Chapel).									
	Temporary Place of Worship (Cedros).	40 by 20	Borrowed			80	45	–	J. Semper	Officiating minister, 1858.
	Temporary Place of Worship (Erin).	40 by 20	1860			90	90	33	Assisted by	
	Temporary Place of Worship (Irois).		Borrowed			50	42	–	Mr. J. Chase	Licensed reader.
			Twelve parishes.	Twenty-six places of worship.		5,353	3,455	1,308	Fourteen clergy.*	Two Readers.

* Besides the Archdeacon.

ISLAND OF GRENADA.

St. George, 26 square miles; Population, 10,300.	St. George's Church (Town of St. George).	100 by 46	Rebuilt, 1825	8,800	–	900	300	113	J. A. Anton, S. C. C.	Rector; also chaplain to the gaol, 1848.
	St. Paul's Chapel (proposed) (three miles east of town).	36 by 18	1839	315	Not yet	160	90	–	G. W. Sisnett (D.)	Assistant curate, 1860.
	Temporary Place of Worship (Beausejour).					–	–	–		
St. John and St. Mark, 24 square miles; Population, 4,854.	St. John's Church (Charlotte Town).	60 by 29	Rebuilt, 1843	1,350	14 March 1846	300	263	75	R. F. Berkeley, S. C. C.	Rector, 1852.
	St. Mark's (Grand Pauvre)	66 by 34	1835		24 February 1840	190	115	40		
St. Patrick, 16 square miles; Population, 5,160.	St. Patrick's Church (Les Sauterres).	66 by 44	1831	1,600	21 July 1831	390	280	52	F. Fitzpatrick, S. C. C.	Rector, 1860.
St. Andrew, 36 square miles; Population, 5,635.	St. Andrew's Church (Grenville)	64 by 34	1831	4,200 site included.	26 June 1833	363	270	75	C. A. Newsam, S. C. C. (Rural Dean).	Rector, 1843.
	Cemetery Chapel (half-mile south-west of Grenville).	25 by 15	1852	35	20 April 1853	–	–	–		
St. David, 18 square miles; Population, 2,581.	St. David's Church	40 by 30	1831	1,400	19 July 1831	176	50	24	J. W. H. Watson, S. C. C.	Assistant curate, 1858.
	St. Clement's Chapel School		1838	220	10 March 1846	57	52	14		

ARCHDEACONRY OF TRINIDAD—ISLAND OF GRENADA—*continued.*

Name, Extent, and Population of Parish.	Parish Church, Chapel, Chapel School, &c.	Dimensions in Feet.	Built, A. D.	Cost in Sterling.	Consecrated or Licensed.	Number of Sittings.	Attendance at Chief Service.	Communicants.	Clergy, with Degree, &c.	Appointment and Date.
				£.						
Island of Carriacou, with Petit Martinique	Christchurch (near Hillsborough)	92 by 67	1853	1,838	15 April 1835	600	450	75	A. J. P. Buchanan	Rector, 1846.
	Seven Parishes. Eleven Places of Worship.					3,035	1,853	475	Seven Clergy.	

ISLAND OF TOBAGO.

St. Andrew and St. George, 20 square miles; Population, 5,253	St. Andrew's Church (Scarborough).	78 by 38	1816	6,600		870	800	230	W. B. Laurie, S. C. C.	Rector, 1860.
	St. George's Chapel (The Hope)	36 by 18	1837 Rebuilt in 1850.	296	Licensed	120	100	35	W. Burgess (D.)	Island Curate, 1855.
St. David's and St. Patrick's, 18 square miles; Population, 2,500	St. David's Church (Plymouth)	75 by 35	1816 Rebuilt in 1850.	1,200	Licensed	650	404	–	S. O. Crosby, S. C. C.	Rector, 1856.
	St. Thomas' Chapel School (Les Coteaux).	50 by 26	1837	880	Licensed	170	200	–	C. T. Lawson, Th. A. K. C. L.	Assistant Curate, 1860.
	St. Patrick's Church (Sandy Point)	62 by 30	1839	1,780	27 April 1843	410	292	–		
St. Paul's and St. Mary's, 44 square miles; Population, 2,349	St. Paul's Church (Delaford)	40 by 30				360	200	–	C. H. Gorringe	Rector, 1844.
	St. Mary's Church (Pembroke)	60 by 40	1853	1,050		500	275	–	No curate provided for.	
	Six Parishes. Seven Places of Worship.					3,080	2,271	*265	Five Clergy.	

See Addenda and Corrigenda.

EDUCATIONAL STATEMENT, 1861.

ARCHDEACONRY OF BARBADOS.

ISLAND OF BARBADOS.

Schools, where held.	Parochial or Middle.		Primary.		Dame, or Infant.		Sunday, or once a week.		Aggregate.	
	Number.	Attendance.	Number.	Attendance.	Number.	Attendance.	Number.	Attendance.	Number.	Attendance.
St. Michael's Parish:										
Church District	2	113	2	134	3	165	2	120	9	532
St. Mary's	–	–	1	69	2	217	1	60	4	346
St. Paul's	–	–	2	147	1	89	1	200	4	436
St. Leonard's	–	–	1	50	1	200	1	60	3	310
St. Ambrose	–	–	1	99	1	127	–	–	2	226
St. Stephen's	–	–	1	63	1	91	1	55	3	209
St. Matthew's	–	–	2	159	2	187	1	35	5	381
St. Barnabas and St. Giles.	–	–	2	159	–	–	2	68	4	227
Christ Church Parish:										
Church District	2	62	3	215	1	55	1	240	7	572
St. Matthew's	–	–	1	82	2	159	1	100	4	341
St. Lawrence's	–	–	1	98	–	–	–	–	1	98
St. Bartholomew's	–	–	1	150	–	–	1	46	2	196
St. Patrick's	–	–	1	132	–	–	1	65	2	197
St. David's	–	–	2	146	1	77	–	–	3	223
St. Philip's Parish:										
Church District	–	–	1	72	–	–	–	–	1	72
Trinity	–	–	1	47	3	223	1	60	5	330
St. Martin's	–	–	1	84	1	48	1	55	3	187
St. Catherine's	–	–	–	–	2	79	–	–	2	79
St. John's Parish:										
Church District	1	24	4	417	*1	65	1	250	7	756
The Society's	–	–	1	158	1	195	1	80	3	433
St. Mark's	–	–	1	84	1	42	2	120	4	246
St. Joseph's Parish:										
Church District	1	51	1	121	1	63	1	135	4	370
St. Ann's	–	–	2	214	1	74	–	–	3	288
St. Andrew's Parish:										
Church District	2	58	1	57	2	124	1	50	6	289
St. Saviour's	–	–	1	40	–	–	–	–	1	40
St. Simon's	–	–	1	50	1	47	–	–	2	97
St. Lucy's Parish:										
Church District	2	40	2	119	1	100	1	135	6	394
St. Clement's	–	–	1	80	3	47	–	–	4	127
St. Swithin's	1	20	1	154	–	–	–	–	2	174
St. Peter's Parish:										
Church District	–	–	2	138	–	–	–	–	2	138
All Saints'	–	–	2	156	–	–	1	20	3	176
St. James' Parish:										
Church District	–	–	1	90	2	78	1	70	4	238
St. Silas and St. Alban's.	–	–	1	76	1	29	–	–	2	105
St. Thomas' Parish:										
Church District	–	–	2	254	–	–	–	–	2	254
Holy Innocents'	–	–	3	262	4	297	1	85	8	644
St. George's Parish:										
Church District	1	30	2	162	4	290	1	250	8	732
St. Luke's	–	–	1	112	–	–	–	–	1	112
St. Augustine's	–	–	1	100	–	–	–	–	1	100
St. Jude's	–	–	1	136	–	–	–	–	1	136
TOTALS	12	398	56	4,886	44	3,168	26	2,359	138	10,811

* Omitted above.—A Dame School on Hothersall Estate, in the Parish of St. John, with 30 (?) Children.

ISLAND OF ST. VINCENT.

Schools, where held.	Parochial or Middle.		Primary.		Dame, or Infant.		Sunday, or once a week.		Aggregate.	
	Number.	Attendance.	Number.	Attendance.	Number.	Attendance.	Number.	Attendance.	Number.	Attendance.
Parish of St. George and St. Andrew:										
Kingstown (St. George's).	2 Night - 49 1 Indust. - 33		1	200	1	67	1	125	6	474
St. Mary's (Buccament).	–	–	1	90	–	–	–	–	–	90
Parish of St. Patrick and St. David:										
St. Patrick's (Barouallie).	–	–	1	117	–	–	1	50	2	167
St. Patrick's (Layou.	–	–	1	35	–	–	–	–	1	35
St. David's (Chateau Belair).	–	–	1	61	–	–	–	–	1	61
Charlotte Parish:										
Georgetown -	1	15	1	103	–	–	1	113	3	231
Mesopotamia -	–	–	1	40	–	–	1	30	2	70
Parish of St. Paul:										
Calliaqua - -	1 Night - 25		1	73	1	28	1	51	4	177
Parish of St. Mary:										
Bequia - -	–	–	1	59	–	–	11(?)	183	2	241
Cannouan - -	–	–	1	72	–	–	–	–	1	72
Mustique - -	–	–	1	20	–	–	–	–	1	20
Union Island -	–	–	1	21	–	–	–	–	1	21
Totals - - -	5	123	12	891	2	95	6	552	25	1,660

ISLAND OF ST. LUCIA.

In the Island of St. Lucia the only Schools are those belonging to the Mico Charity.

EDUCATIONAL STATEMENT, 1861.

ARCHDEACONRY OF TRINIDAD.

ISLAND OF TRINIDAD.

Schools, where held.	Parochial, or Middle.		Primary.		Dame or Infant.		Sunday or Once a week.		Aggregate.	
	No.	Attendance.	No.	Attendance.	No.	Attendance.	No.	Attendance.	No.	Attendance.
Trinity Parish—										
Church District:										
Port of Spain	–	–	–	–	3	350	2	350	5	700
Laventille	–	–	–	–	1	20	1	30	2	50
Belmont	–	–	–	–	1	39	1	35	2	74
All Saint's District	–	–	–	–	1	71	1	70	2	141
St. Andrew's Parish	–	–	–	–	3	103	2	121	5	224
St. Philip's Parish	–	–	–	–	2	95	–	–	2	95
St. Mary's Parish	–	–	1	60	2	95	2	160	5	315
St. Paul's Parish	–	–	–	–	2	73	2	250	4	323
St. Luke's Parish	–	–	–	–	2	72	2	121	4	193
Christ Church Parish	–	–	1	33	–	–	1	22	2	55
St. Michael's Parish	–	–	–	–	1	46	2	28	3	74
St. John's Parish	–	–	–	–	–	–	1	40	1	40
St. Stephen's Parish	–	–	–	–	–	–	2	86	2	86
St. Clement's Parish	–	–	–	–	–	–	2	60	2	60
Totals	–	–	2	93	18	964	21	1,373	41	2,339

ISLAND OF GRENADA.

St. George's Parish	–	–	–	–	–	–	1	30	1	30
St. John's Parish	–	–	2	95	1	72	–	–	3	167
St. Mark's Parish	–	–	1	55	–	–	1	15	2	70
St. Patrick's Parish	–	–	1	70	–	–	1	15	2	85
St. Andrew's Parish	–	–	1	96	–	–	1	50	2	146
St. David's Parish	–	–	1	49	1	14	1	20	3	83
Carriacou and Grenadines	–	–	3	192	–	–	2	60	5	252
Totals	–	–	9	557	2	86	7	190	18	833

ISLAND OF TOBAGO.

St. Andrew's Parish	1	62	2	101	–	–	1	260	4	423
St. George's Parish	–	–	1	46	–	–	1	81	2	127
St. David's Parish	–	–	1	60	–	–	1	40	2	100
St. Thomas' Parish	–	–	1	76	–	–	1	52	2	128
St. Patrick's Parish	–	–	1	59	–	–	1	163	2	222
St. Paul's Parish	–	–	1	78	–	–	1	150	2	228
St. Mary's Parish	–	–	1	65	–	–	1	120	2	185
Totals	1	62	8	485	–	–	7	866	16	1,413

SUMMARY STATEMENT, Ecclesiastical and Educational, for the whole Diocese—1861.

Archdeaconry.	Colony.	Parishes.	Extent in Square Miles.	Population.	Churches, Chapels, &c.	Sittings.	Attendance at Chief Service.	Communicants.	Clergy.	Schools of a public nature, connected with the Established Church.									
										Parochial or Middle.		Primary.		Dame or Infant.		Sunday or Once a-week.		Aggregate	
										Number.	Attendance.	Number.	Attendance.	Number.	Attendance.	Number.	Attendance.	Number.	Attendance.
Barbados.	Barbados	11	166	152,272	43	26,360	22,140	8,742	43	12	398	56	4,886	44	3,168	26	2,359	138	10,81
	St. Vincent and the Grenadines	7	142	31,739	14	4,272	2,560	1,515	7	2	48	12	891	2	95	9	626	25	1,66
	St. Lucia	2	180	20,000	3	412	279	60	2	–	–	–	–	–	–	–	–	–	–
Trinidad.	Trinidad	16	2,400	85,000	26	5,253	3,455	1,308	15	–	–	2	93	18	964	21	1,373	41	2,43
	Grenada and Carriacou	7	127	31,900	10	3,035	1,853	475	7	–	–	9	557	2	86	7	190	18	833
	Tobago	7	100	15,410	7	3,080	1,971	841	5	1	62	8	495	–	–	7	866	16	1,423
	Whole Diocese—Six Colonies*	50	3,115	336,321	103	42,412	32,258	12,941	79	15	508	87	6,922	66	4,313	70	5,414	238	17,157

* *See* Addenda and Corrigenda.

Comparative Statement for different Years.

Archdeaconry of Barbados.

	Barbados.				St. Vincent and the Grenadines.				St. Lucia.			
	1825.	1834.	1841.	1861.	1825.	1834.	1841.	1861.	1825.	1834.	1841.	1861.
Population	101,298	101,298	122,198	152,272	–	23,300	24,000?	31,739	–	18,070	20,000	20,000?
Parochial Cures	11	11	11	11	2	4	4	5	1	1	1	2
Consecrated or Licensed Places of Worship	14	25	35	43	2	7	14	14	1	1	1	3
Sittings	5,030	7,750	22,582	26,360	1,140	1,820	5,580	4,372	Court-house.	200	200	412
Attendance at Public Worship	–	7,540	20,055	22,140	- No returns -		4,070	2,560	- No returns -		40	279
Communicants	–	1,414	2,787	8,742	- No returns -		449	1,515	- No returns -		21	60?
Clergy	–	21	32	43	2	4	5	7	1	1	1	2
Schools:—Primary	–	27	49	56	–	6	15	12	–	2	–	–
„ Middle	–	–	–	12	–	–	–	–	–	–	–	–
„ Dame or Infant	–	3	2	44	–	1	2	2	–	–	–	–
„ Sunday or Once a week	–	115	32	26	–	9	20	9	–	1	–	–
Total Number of Schools	9	155	83	138	–	16	37	25	–	3	–	–
Total Number in the Schools	–	7,447	6,726	10,811	–	1,002	2,126	1,660	–	47	Nil.	Nil.

Comparative Statement for different Years.

Archdeaconry of Trinidad.

	Trinidad.				Grenada.				Tobago.			
	1825.	1834.	1841.	1861.	1825.	1834.	1841.	1861.	1825.	1834.	1841.	1861.
Population	42,262	41,200	50,000?	85,000	28,500	30,108	27,810?	31,900	14,700	14,232	–	15,410
Parochial Cures	1	1	5	16	3	5	5	7	1	1	1	7
Consecrated or Licensed Places of Worship	1	1	18	26	4	8	7	10	1	2	4	7
Sittings	800	800	3,950	5,353	900	2,870	2,495	3,035	400	520	1,500	3,080
Attendance at Public Worship	–	400	2,530	3,455	- - No returns - -			1,853	- No returns -		1,300	1,971
Communicants	–	50	280	1,308	- No returns -		250	475	No return.	30	137	841
Clergy	2	2	6	15	–	5	5	7	1	1	2	5
Schools:—Primary	–	3	22	2	–	9	15	9	–	2	11	8
„ Middle	–	–	–	–	–	–	–	–	–	–	–	1
„ Dame or Infant	–	–	3	18	–	–	3	2	–	–	–	–
„ Sunday or Once a week	–	1	3	21	–	18	7	7	–	11	12	7
Total Number of Schools under superintendence of the Clergy	2	4	28	41	–	27	25	18	–	13	23	16
Total Number in the Schools	–	205	1,305	2,430	–	1,391	1,338	833	–	455	1,630	1,423

CONFIRMATION.

A Comparative Statement of the Numbers Confirmed at different Periods in the present Diocese of Barbados.

ARCHDEACONRY OF BARBADOS.

	Numbers Confirmed in the 15 Years ending 31st December	
	1840.	1860.
Parishes in Barbados:		
Christ Church	236	1,638
St. Andrew	97	741
St. George	518	1,111
St. James	156	1,092
St. John	748	1,713
St. Joseph	140	660
St. Lucy	538	912
St. Michael (including Bridgetown)	1,127	2,622
St. Peter	331	1,225
St. Philip	521	1,524
St. Thomas	408	1,125
Total in Barbados	4,829	14,363
Parishes in St. Vincent and its Dependencies:		
Charlotte Parish	270	519
St. George and St. Andrew (including Kingston)	348	946
St. Patrick and St. David	171	424
St. Paul	–	111
St. Mary (including Bequia, Canouan, &c.)	12	341
Total in St. Vincent, &c.	801	2,341
Church District in St. Lucia:		
Christ Church, Soufrière	–	62
Grace Church, Rivière Dorée	–	154
Trinity Church, Castries	34	69
Total in St. Lucia	34	285
In whole Archdeaconry	5,664	16,980

ARCHDEACONRY OF TRINIDAD.

	Numbers Confirmed in the 15 Years ending 31st December	
	1840.	1860.
Parishes in Trinidad:		
Christ Church	–	44
Holy Trinity (including Port of Spain)	344	788
St. Andrew	–	75
St. John	–	63
St. Luke	80	125
St. Mary	–	222
St. Matthew	–	24
St. Michael	–	115
St. Paul	–	335
St. Philip	–	45
St. Stephen	55	175
St. Thomas	–	55
Total in Trinidad	479	2,066
Parishes in Grenada and its Dependencies:		
St. Andrew and St. David	38	399
St. George (including chief Town)	333	346
St. John and St. Mark	64	346
St. Patrick	20	209
Christ Church (Carriacou, &c.)	88	302
Total in Grenada	543	1,602
Parishes in Tobago:		
St. Andrew and St. George	54	519
St. David and St. Patrick	–	975
St. Mary and St. Paul	–	375
Total in Tobago	54	1,870
In whole Archdeaconry	1,066	5,538

No. 7.
Barbados.

Remarks.

Archdeaconries.—The division of the diocese into two archdeaconries took place in 1842, when the former archdeaconry of Barbados was constituted a distinct diocese.

Archdeacons.—The Ven. Charles Lawson died in England on the 18th January 1861, and was succeeded, on the 27th February following, by the present archdeacon, the Ven. H. H. Parry, M.A., of Balliol College, Oxford; for six years tutor of Codrington College, and at the time chaplain to Her Majesty's Forces.

Chaplains.—The Rev. H. H. Parry, having been appointed to the archdeaconry, as above stated, has ceased to be one of the Bishop's chaplains. The Rev. G. Jemmett (Trinidad) has been appointed to the chaplaincy vacant at the commencement of the year.

College Council.—J. L. Wilkinson, Esq., M.D., has since resigned his seat in the Council, having left the West Indies.

Ecclesiastical Statement.—(1.) *Extent in Square Miles.*—The returns are necessarily indefinite under this head, except in Barbados, owing to the mixed population and the uncultivated character of the country. (2.) *Population.*—That of Barbados is given in the previous tables from the census returns of the present year (1861); that of St. Vincent, St. Lucia, Grenada, and Tobago, from the returns of the clergy; that of Trinidad, from the census of 1851. By the census of 1861 (not yet obtained in detail), the total population of Trinidad is about 84,000. The mixed character of the population of Trinidad may be judged of from the following analysis of a list of persons confirmed at Trinity Church, Port of Spain, 30th June 1861:—

Natives of Trinidad		83	
,, Tobago	1		
,, Grenada	2		
,, Barbados	22		
,, St. Vincent	4		
		29	
,, Antigua	5		
,, Montserrat	2		
,, Nevis	9		
,, St. Kitts	3		
		19	
,, Demerara	1		
,, New Providence	1		
,, Bermuda	1		
		3	
,, St. Thomas'	1		
,, St. Martin's	1		
		2	
			136
,, England	6		
,, Wales	1		
,, Scotland	2		
,, Ireland	1		
		10	
,, United States		1	
,, Africa		7	
			18
Total			154

(*See* also below, under the head of Educational Statement.)

Of the census taken in the present year (1861) in St. Vincent, Grenada, and Tobago, the following is, in each case, a brief abstract:

St. Vincent.

United parishes of St. George and St. Andrew, including Kingstown	9,311
Charlotte parish	9,329
United parishes of St. Patrick and St. David	5,160
Perpetual curacy of St. Paul (Calliaqua)	5,657
Parish of St. Mary (Bequia and Grenadines)	2,282
Total	31,739

GRENADA.

Area of the Colony (Carriacou included), 85,000 acres, or 133 square miles.

Parish of St. George (including the town)	8,966
„ St. Andrew	6,065
„ St. David	2,899
„ St. Patrick	4,955
„ St. John	3,479
„ St. Mark	1,835
Island of Carriacou	3,701
TOTAL	31,900

TOBAGO.

Parish of St. Andrew (including Scarbro')	3,600
„ St. George	1,803
„ St. David	3,767
„ St. Patrick	3,500
„ St. Mary	861
„ St. Paul	1,291
„ St. John	515
Shipping	73
TOTAL	15,410

The ecclesiastical division of the Island into parishes is not quite coincident with the civil.

(3.) *Parishes.*—The Island of Barbados is stated in Schomburgh's History to have been first divided into six parishes in the year 1629, and subsequently, about the year 1645, into 11. Trinidad was not divided into parishes till the year 1845. The Island of Tobago was one rectory until the year 1844, when it was divided into three. In St. Lucia, previous to the year 1841, there was provision for only one clergyman of the Church of England. Provision was made in 1843 for two, and in 1844 for three; but in 1855 the number was again reduced to two.

(4.) *Churches, Chapels, &c.*—In Barbados, besides the 44 churches and chapels specified as in use at the close of 1860, two more chapels have since been completed, one at Boscobel, in the parish of St. Peter (erected at the sole expense of P. L. Phillips, Esq., M. D., and consecrated on the 23rd March last), and another ready for use as soon as a curate shall have been provided, on Newcastle Estate, in the parish of St. John, on a site given by J. Haynes, Esq. St. Clement's Chapel, in the parish of St. Lucy, has also been rebuilt on a much larger scale, and is nearly ready for consecration; a new chapel is in the course of erection in St. George's, which will take the place of St. Augustine's Licensed School-house, and for another chapel much required in the southern part of St. James' parish; a site and some subscriptions have been promised.

(5.) *Dimensions—Built—Cost.*—Many of the churches in Barbados have, since their first erection, been considerably added to and improved. The dimensions given in the previous tables are those of the present buildings, but the cost, in most cases, is that of the original building, as it has not been possible to ascertain exactly, in the several instances, the cost of later additions and improvements. Within the last year the parish church of St. George has been much improved by the addition of a large chancel and other alterations. The cost of this church, as rebuilt in 1784, is supposed, from information of an old inhabitant (given in 1836), to have been about 6,000 *l.*; but all papers relating to the church before 1780 were lost in the storm of that year, and many others of a later date in August 1831. A similar loss of documents in most of the parishes makes it impossible to obtain much authentic information as to the older churches of the Island. In St. Lucy's parish, the parish church destroyed in 1831, was one that had been rebuilt after the hurricane of 1780. A chapel in St. Thomas' parish, destroyed in 1780, was never rebuilt, but its place has since been taken by the Chapel of the Holy Innocents. In Christ Church parish the register books go back as far as 1623; in St. James' the earliest register book commences in 1693, the earliest vestry minute book in 1789; the font bears date 1684. The Island of St. Vincent also suffered much from the hurricanes of 1780 and 1831; the former of which destroyed the church in Kingston.

(6.) *Consecrations.*—The churches erected previous to the constitution of the diocese of Barbados and the Leeward Islands do not appear to have been consecrated, with the exception of the church of the Holy Trinity in Trinidad, which was consecrated under a commission from the Bishop of London. In the island of Barbados, seven of the parish

No. 7. Barbados.

churches were destroyed in 1831, and consecrated on their re-erection; those chapels which had been consecrated before the hurricane of that date were rebuilt afterwards on the same site, were not re-consecrated, but only licensed as if re-consecrated.

(7.) *Church Accommodation, &c.*—*See* remarks below, on the "Comparative Statement for different Years."

(8.) *Clergy.*—Since the commencement of the year the following changes have taken places: in—

a—Barbados.

The Rev. C. Wood has been appointed assistant curate in Bridgetown.

The Rev. N. H. Greenidge has been removed to Boscobel, in St Peter's parish, and succeeded in the mastership of the Foundation School, Christ Church, by the Rev. G. Laurie, who is also acting curate for the Rev. C. H. Grayfoot, absent on leave.

The Rev. H. H. Parry has been appointed archdeacon of Barbados, and been succeeded in the chaplaincy to Her Majesty's forces by the Rev. J. L. Gilborne, B.A., military chaplain.

The Rev. M. W. Blagg has resigned on account of ill health, and returned to England.

The Rev. D. I. Lequyer, of St. Bee's College, has been appointed to the curacy of St. Ann's chapel.

The Rev. J. W. H. Watson having left Grenada, and being resident, as a master of a school, in St. Peter's parish, has been appointed officiating minister (*pro tem.*) at St. Stephen's Chapel.

The Ven. C. Lawson (deceased) has been succeeded in the rectory of St. James's parish by the Rev. P. B. Austin, S. C. L.

The Rev. E. P. Smith (retired on account of ill health) has been succeeded by the Rev. E. S. Thorne.

The Rev. T. Rowe gives temporary assistance at St. Lawrence's Chapel.

b—St. Vincent.

The Rev. T. H. Cuppage has been removed to the curacy of St. David's, and the Rev. H. Sealy has been appointed to the curacy of South Charlotte parish.

c—Trinidad.

The Rev. J. M. Sowell has been removed from the diocese, and succeeded by the Rev J. Peschier, S. C. C.

The Rev. H. Pitcher has been appointed curate in St. Philip's parish.

d—Grenada.

The Rev. R. F. Berkeley being absent on leave, the Rev. H. J. Borrow, B.A., has been appointed curate of St. Mark and St. John, in his absence.

The Rev. J. W. H. Watson has removed to Barbados, and been succeeded by the Rev. C. T. Lawson at St. David's.

e—Tobago.

The Rev. C. T. Lawson has been removed to Grenada, and succeeded by the Rev. J. W. Matthews at St. David's.

The following is a Tabular View of the Colonial Provision for the Annual Salaries of the Clergy of the Church of England:

Colonies.	Archdeacon.	Rectors.	Island Curates.	Assistant Curates.	Gaol Chaplain.	Total.
	£.	£.	£.	£.	£.	£.
Barbados	-	11 at 3,520	-	24 at 4,800	1 at 300	36 at 8,620
St. Vincent	-	4 at 1,200	1 at 200	3 at 450	-	8 at 1,850
St. Lucia	-	-	2 at 400	-	-	2 at 400
Trinidad	1 at 500	6 at 2,350	5 at 1,100	4 at 620	-	16 at 4,570
Grenada	-	5 at 1,300	-	2 at 330	-	7 at 1,630
Tobago	-	3 at 960	-	1 at 100	-	4 at 1,060
Total	1 at 500	29 at 9,330	8 at 1,700	34 at 6,300	1 at 300	73 at 18,130

In this manner provision is made, wholly or in part, for the maintenance of 73 clergymen; "in part," because in many cases it has been found necessary to add to the stipends of the curates from other funds. Seven are provided for entirely from other sources. Almost all the rectors have parsonages with glebes attached to them; and many of the curates have also either residences provided for them, or an allowance made for house rent.

No. 7.
Barbados.

Educational Statement.

Barbados.—The assistance formerly received by the church schools from the Society for the Propagation of the Gospel in Foreign Parts, after being "gradually reduced, ceased altogether on the 5th July 1846. In the process of the reduction the schools, thus deprived of their chief support, suffered severely; still at that time there were on the Society's list 38 schools, containing 2,247 children, the amount of allowances for that last quarter being only 42*l.* 13*s.* 4*d.* The Christian Faith Society gave assistance to some of these schools, and to others separately, making the whole number of schools, 48; and the number of children, 3,000. In October 1846, the first quarter of a grant from the Legislature was paid to 47 schools; the grant was 750*l.* per annum for three years; and in September 1849 it was renewed for one year. On the appointment of the Education Committee in September 1850, the teachers continued to be paid in the same manner as before to the 5th January 1851, the archdeacon having undertaken this duty at the request of the Committee; and from that date the payment of the public grant (which at the present time is at the rate of 5,000*l.* for two years) has been made through the Committee of the Legislature, to whom the cause of education is deeply indebted." (*See* Report of Ecclesiastical Board for 1852 and 1853.) In the year 1858 an Inspector of Schools was appointed, with a salary of 300*l.* a year; and in the year 1859 a further and "very important step was taken towards the improvement of the schools in connection with the Church, if not of schools generally throughout the island, by the consolidation and amendment of the Acts relating to the central schools, with a view of better adapting them to the altered state of society in these Colonies, and making them, as far as practicable, training schools for the supply of teachers for the several primary, or dame and infant schools of the island." (Report of Ecclesiastical Board for 1859.)

(1.) *Parochial or Middle Schools.*—The following are upper middle schools: Harrison's School, in Bridgetown; "The Seminary," in St. Andrew's Parish, under the charge of the curate of the chapels, and furnishing him with a residence; and "Pilgrim Place School," in Christ Church, under J. L. Greaves, s. c. c.; all three calculated to afford the advantages of a good grammar and commercial education combined. "The Foundation School," in Christ Church Parish, under the Rev. G. Laurie, assistant curate, consists of an upper and lower department; the former being of good commercial, the latter more of a primary character. "The Central Schools," in Bridgetown, as training schools for the island (*see* above), are partly of lower middle, partly primary schools; in the previous table they are placed under the head of primary schools. The "Parochial (or Vestry) Schools" of the island are supported mainly, in each parish, by an allowance from the vestry; and are, in some cases, lower middle, in other, little more than primary schools; they might, perhaps with advantage, be converted in all cases into good lower middle schools.

(2.) *Dame or Infant Schools* are an element in the education of the island of comparatively recent introduction. Some of them are supported privately by the owners of estates; as Lambert's (belonging to Dr. Phillips), Mangrove (to Rev. H. B. Skeete), Hothersall's (to W. M. Pinder, esq.), Balls (to Mrs. Lumley), and Staple Grove (to Miss Mayers and Rev. R. C. Burton); and nearly half of those at present existing are greatly indebted for their origin and support to the Association of Non-resident Proprietors in England. Among a population such as that of Barbados, the value of such schools can scarcely be overrated.

> In addition to the schools in connection with the Established Church, there are in Barbados, according to the returns of the Government Inspector of Schools, 14 Moravian schools (eight primary and six infant), with a total number of 1,664 children on their lists; and 12 Wesleyan primary schools, with a total number on their lists of 1,033 children (at the commencement of 1861).

St. Vincent.—The sum of 750*l.* per annum is paid by the Local Government, through an Education Board composed of Members of the Legislature, towards the maintenance of the schools of the island; of this sum, the Church schools receive 400*l.*, the Wesleyan schools 300*l.*, and the Roman Catholic schools 50*l.* The Government also allows 150*l.* per annum to the schools of the Society for the Education of the Children of the Poor, in Kingstown, placed in the Tables under the head of Primary Schools.

Trinidad.—Of the immigrants from Africa, India, and China, those from India are the least willing to receive Christian instruction. Of the Africans, who have been the longest in the country, a large number have been baptized; and the Chinese are willing to be baptized, but great difficulty is experienced in giving them instruction. It is hoped, however, that by the aid of interpreters from amongst the immigrants themselves, and the gradual diffusion of the English language among them, the difficulty will be gradually overcome, without any necessity for the intervention of regular teachers speaking their several languages, it being very important every way that the immigrants should learn English, and that it should be made to them the medium of Christian instruction. Returns have been obtained of immigrants baptized. They are not supposed to be by any means complete, and relate in different places to different periods; but they serve to show that, while the instruction of the heathen is not neglected, the progress is but slow as yet, with the Indian Coolie especially.

No. 7.
Harbados.

HEATHENS BAPTIZED.

Trinity Church	141 Africans	10 Indians	4 Chinese
All Saints' Chapel	15 „	3 „	1 „
St. Paul's Church	226 „	8 „	26 „
St. Clement's Chapel	50 „	1 „	1 „
St. John's	? „	– „	4 „
Christ Church	256 „	– „	– „
St. Andrew and St. Philip	8 „	3 „	– „
St. Thomas	– „	– „	– „
St. Matthew's	10 „	1 „	1 „
TOTAL	706 „	26 „	38 „

At Tacarigua, in the parish of St. Mary, there is an admirable institution for the maintenance and education of Coolie orphans, which originated in the munificence of T. Burnley, Esq., the present proprietor of the neighbouring estate of Orange Grove. The Local Government contributes largely to the maintenance of the children, and has aided most liberally in the buildings, while other contributors, besides Mr. Burnley, assist in the other expenses of the institution. The number of Indian children thus receiving a Christian education was 50 in June 1861; it has since been added to.

In Trinidad the Government has, since the year 1842, adopted the principle of State education, and no longer makes grants to the Church in aid of schools; Wednesday, however, in each week is allowed to the clergy and others for religious instruction. The schools noticed in the Table are in addition to those maintained by the Government.

In Grenada a similar principle has been partially adopted, there being a normal school maintained by the Government in the principal town, whilst limited grants are still made to the clergy and others for special schools.

COMPARATIVE STATEMENT.

The population of Barbados is given for the years 1825 and 1834 from the parochial returns, which can be considered only as an approximation to the actual numbers at the time.

Sittings.—The increase in Church accommodation during the last 20 years does not appear in the foregoing statement to be in the proportion that it should be to the increase in the number of churches and chapels: this may be owing partly to the substitution in late years of a better accommodation for the poorer classes, and partly to a more accurate principle of calculation having been adopted in the returns of the clergy. That there is still some inaccuracy, however, in the numbers stated for the present year may be inferred from the Reports of the Ecclesiastical Board for the years 1857 and 1859, which state the amount of church accommodation to have been 27,400 in the former of those years, and 29,307 in the latter; since which time it has been increased rather than otherwise.

So, too, as regards attendance at public worship, the improvement has really been greater than would appear. The aggregate attendance, taking all services into account, may be considered as at least two-thirds more at the present time than the average given in the Tables. (*See* page 8 of Charge delivered by the Bishop of Barbados, 16th May 1861.)

Under the head of "Schools," it will be seen that the increase during the last 20 years has chiefly been in infant schools. (*See* remarks above on Educational Statement, and with reference to these, as well as to middle schools, the Bishop of Barbados' Charge, 1861, page 11.) It is necessary to observe, in explanation of the large apparent decrease under the head of "Schools held on Sunday or once a Week," that in Barbados the estate adult schools of former years have been superseded of late years by adult classes at the Sunday schools, confirmation classes during the week, and the services of Scripture readers. The present number of Scripture readers is 20, supported chiefly by the English Association of Non-resident Proprietors.

DIOCESE OF BARBADOS.

Bishop.—The Right Reverend Thomas Parry, D. D.,—1842. Formerly Fellow of Balliol College, Oxford.
Archdeacon of Barbados.—Venerable H. H. Parry, M. A.,—1861.
Archdeacon of Trinidad.—Venerable G. Cummins, M. A.,—1842.

Explanation of Letters Affixed.

R., Rector.—R. D., Rural Dean.—C., Curate.—A. C., Assistant Curate.—Ch., Bishop's Chaplain.—M., Minister.—S. C. C., Certificated Student of Codrington College.—St. A. C., St. Augustine's College, Canterbury.—Th. A. K. C., Theological Associate of King's College, London.—C. M. S., Church Missionary Society's Missionary.

Name.	Degree or Certificate.	Ordained.		Appointment.		Date thereof.
		Deacon.	Priest.			
Allder, W. A.	S. C. C.	1860	1861	Trinidad	Holy Trinity, A. C.	1860
Anton, J. A.	S. C. C.	1834	1835	Grenada	St. George, R.	1848
Arrindell, W. M. D.	S. C. C.	1855	1857	Trinidad	All Saints, M.	1860
Austin, P. B.	B. C. L.	1851	1852	Barbados	St. James, R.	1861
Barnet, E.	-	1849	1850	Barbados	St. Mark, &c., C.	1850
Berkeley, R. F. (absent)	S. C. C.	1848	1849	Grenada	St. Mark and St. John, R.	1852
Bishop, A. H.	S. C. C.	1845	1847	Barbados	The Cathedral, A. C.	1860
Borrow, H. J.	B. A.	1852	1853	Grenada	St. John and St. Mark, C.	1861
Bovell, W. H. B.	B. A.	1835	1836	Barbados	St. Thomas, R.	1837
Bowen, W. T.	S. C. C.	1857	1858	St. Lucia	Grace Church and Christ Church, M.	1860
Bradshaw, J.	M. A. and M. B.	1850	1850	Barbados	St. Joseph, R.	1858
Branch, C. J.	S. C. C.	1857	1859	Barbados	St. Simon and St. Saviour, C.	1857
Branch, S. F.	S. C. C.	1861	–	Trinidad	St. Clements, A. C.	1861
Browne, T. A.	S. C. C.	1839	1840	St. Vincent	Charlotte Parish, R. and R. D.	1842
Buchanan, A. J. P.	-	1843	1844	Carriacou	Christ Church, R.	1846
Burgess, W.	-	1859	–	Tobago	St. Andrew and St. George, A. C.	1859
Carter, C.	-	1838	1840	Barbados	Holy Trinity, C.	1850
Clarke, T.	M. A.	1836	1837	Barbados	St. Michael, R. and Ch.	1842
Clinckett, G. M.	S. C. C.	1845	1846	Barbados	St. Matthew, C.	1854
Collymore, H.	S. C. C.	1844	1845	St. Vincent	St. Patrick and St. David, R.	1856
Connell, J.	S. C. C.	1846	1849	St. Vincent, (Bequia).	St. Mary, R.	1855
Crichlow, R.	-	1848	1857	Trinidad	St. John, C.	1854
Crosby, S. O.	S. C. C.	1848	1849	Tobago	St. David, R.	1857
Cummins, C. C.	-	1826	1828	Barbados	St. George, R.	1841
Cummins, G.	M. A.	–	–	Trinidad	Archdeacon	1842
Cuppage, T. H.	B. A.	1853	–	St. Vincent	St. David, C.	1861
Drayton, J.	S. C. C.	1857	1859	Barbados	St. Patrick, C.	1860
Dunn, G. G.	S. C. C.	1850	1852	Trinidad	St. Matthew and St. Peter, C.	1854
Eckel, A. E.	C. M. S.	1835	1835	Trinidad	St. Michael, C.	1855
Eversley, W.	S. C. C.	1847	1848	Barbados	St. Bartholomew, C.	1848
Fitzpatrick, F.	S. C. C.	1854	1857	Grenada	St. Patrick, R.	1860
Frederick, G. M. D.	S. C. C.	1854	1857	Barbados	St. George, A. C.	1857
Gilbert, T.	-	1841	1842	Trinidad	St. Paul, R.	1845
Gilborne, J. L.	B. A.	–	–	Barbados	Chaplain to Her Majesty's Forces.	1861
Gillett, C. J.	St. A. C.	1852	1853	Trinidad	St. Stephen's, R.	1860
Gittens, J. H.	B. A.	1811	1812	Barbados	St. John, R.	1820
Gittens, G. D.	S. C. C.	1839	1840	Barbados	St. Lucy, R.	1855
Gorringe, C. H.	-	1842	1844	Tobago	St. Mary and St. Paul, R.	1844
Grant, F. B.	M. A.	1834	1835	Barbados	St. Mary, C.	1853
Grayfoot, C. H. (absent)	S. C. C.	1842	1843	Barbados	St. Matthias, C.	1857
Greenidge, T. W.	S. C. C.	1854	1855	Barbados	St. David and St. Lawrence, C.	1860
Greenidge, N. H.	S. C. C.	1857	–	Barbados	Boscobelle, C.	1861
Hawkins, E. J.	-	1842	1844	St. Lucia	Holy Trinity, M.	1846
Huggins, H. N.	S. C. C.	1853	1855	St. Vincent	St. Paul, C.	1855
Hutson, J.	S. C. C.	1830	1831	Barbados	St. Andrew, R.	1839
Hutson, E.	S. C. C.	1853	1855	Barbados	Holy Innocent's, C.	1855
Jemmett, G.	B. A.	1851	1852	Trinidad	St. Andrew, R.	1853
King, R. F.	-	1810	1810	Barbados	St. Phillip, R. and R. D.	1832
Laborde, H. W.	M. A.	1845	1848	St. Vincent	St. George and St. Andrew, R. and Ch.	1852
Laurie, G. F.	S. C. C.	1858	1859	Barbados	Master, Christ Church Foundation School.	1860

Name.	Degree or Certificate.	Ordained. Deacon.	Ordained. Priest.	Appointment.		Date thereof.
Laurie, W. H. B.	S. C. C.	1854	1855	Tobago	St. Andrew and St. George, R.	1861
Lawson, C. T.	Th. A. K. C.	1860	1861	Grenada	St. David's, C.	1861
Le Maistre, P.	M. A.	—	—	Trinadad	St. Luke, R.	1851
Lequyer, D. J.	St. Bee's C.	1854	1855	Barbados	St. Ann's, C.	1861
Matthews, J. W.	—	1861	—	Tobago	St. David, A. C.	1861
Mayers, J. S.	B. D.	1853	1856	Barbados	St. Ambrose, C.	1855
Moore, H. W.	S. C. C.	1842	1843	Barbados	All Saints, C.	1843
Newsam, C. A.	S. C. C.	1841	1842	Grenada	St. Andrew, R. and R. D.	1843
Norville, B. C.	—	1858	—	Barbados	St. Augustine, A. C.	1858
Parry, H. H.	M. A.	1851	1852	Barbados	Archdeacon	1861
Payne, W. M.	—	1829	1832	Barbados	St. Peter, R.	1841
Peschier, J.	S. C. C.	1848	—	Trinidad	St. Thomas, C.	1861
Petersenn, C. L.	St. A. C.	1858	1859	St. Vincent	St. George and St. Andrew, A. C.	1860
Piggott, J. T.	—	1838	1841	Barbados	St. Jude, C.	1852
Pile, A. J.	M. A.	1846	1847	Barbados	St. Luke, C.	1853
Pitcher, J. H.	Th. A. K. C.	1862	—	Trinidad	St. Philip, C.	1862
Prideaux, W. H.	M. A.	1857	1858	Barbados	Tutor of Codrington College	1860
Rawle, R.	M. A.	1839	1839	Barbados	Principal of Codrington College	1847
Redwar, H. R.	S. C. C.	1836	1838	Barbados	St. Paul, C.	1848
Reece, A.	S. C. C.	1838	1839	Barbados	Christ Church, R.	1859
Richards, S. L. B.	S. C. C.	1843	1844	Trinidad	Holy Trinity, R. and R. D.	1848
Richards, H.	S. C. C.	1844	1845	Trinidad	St. Mary, R. and Ch.	1846
Rock, F. A.	—	1841	1843	Barbados	St. Barnabas, C.	1851
Rowe, T.	—	1837	1839	Barbados	Chaplain to Prisons	1854
Sealy, H.	S. C. C.	1862	—	St. Vincent	Charlotte Parish, C.	1862
Semper, J.	—	1855	1858	Trinidad	Christ Church, C	1858
Sinckler, E. G.	S. C. C.	1846	1847	Barbados	St. Leonard's, C.	1856
Sisnett, G. W.	—	1860	1862	Grenada	St. George, A. C.	1860
Skeete, H. B.	S. C. C.	1839	1840	Barbados	St. Clement's, C.	1840
Smith, E. P.	M. A.	1829	1829	Barbados	Formerly Tutor of Codrington College.	—
Smith, E. L.	S. C. C.	1858	1859	Barbados	St. Martin, C.	1860
Taylor, W. D.	B. A.	1849	1851	Barbados	—	—
Thorne, E. S.	Th. A. K. C. and S. C. C.	1858	1859	Barbados	St. Silas and St. Alban, C.	1861
Watson, J. W. H.	S. C. C.	1858	1859	Barbados	Master of a school at Speights'-town.	1861
Webb, W. T.	S. C. C.	1848	1849	Barbados	Head Master of Codrington Grammar School.	1850
Wood, C	—	1848	—	Barbados	St. Michael's, A. C.	1856

Copy of an Address presented to His Royal Highness Prince Alfred, by the Bishop and Clergy of Barbados, 23rd February 1861, on the occasion of His Royal Highness' Visit to the Island:—

May it please your Royal Highness,—

We, the Bishop of Barbados and the Clergy of this Colony, rejoice in the privilege of being permitted to welcome to our shores, with an earnest expression of our respectful and affectionate loyalty, a Prince who shrinks not from sharing the rough duties of life in an enterprising and hazardous profession, and seeking knowledge and experience in various climates; thus setting a bright example to the youth of this wide-spread realm, and making earnest preparation for those important avocations which await one of your Royal Highness' lofty position.

The presence of your Royal Highness amongst us we regard as a practical and most gracious proof of the deep interest felt by our august Sovereign in these Colonies and their various institutions, those of the National Church included; and we trust that your Royal Highness will be able, from personal observation, to testify to Her Majesty that since the abolition of slavery Barbados has not fallen back in material prosperity nor in moral character, or degenerated from her ancient loyalty.

From our inmost heart we wish your Royal Highness all satisfaction in your movements among these Colonies, and as Ministers of Christ in this portion of His Church, we earnestly pray that through Him the grace and blessing of the Almighty may descend richly upon your whole life, and make it longer and less trying, but not less noble than his whose great name you bear.

(Signed by the Bishop and 46 clergymen of the Island, including the Principal and Tutor of Codrington College.)

Barbados, 23 February 1861.

To which His Royal Highnes was graciously pleased to make the following reply:—

It is with heartfelt pleasure that I receive, through your lordship, so. affectionate a welcome from the clergy of this important Colony, and in thanking you sincerely for your expressions of loyalty, be assured that I shall be happy to bear testimony to the Queen of the peace, prosperity, and freedom which are enjoyed by all classes of Her subjects in the Island of Barbados.

(signed) *Alfred.*

Bridgetown, Barbados, 23 February 1861.

To the Right Rev. T. Parry, D.D., the Lord Bishop of Barbados, and the Clergy of the Colony.

ADDENDA AND CORRIGENDA.

In the Barbados Ecclesiastical Statement, two names, inadvertently omitted, have to be added, viz.:—

The Rev. A. H. Bishop, S.C.C., Assistant Curate to the Rector of St. Michael's, Barbados.
The Rev. G. F. Laurie, S.C.C., Assistant Curate to the Rector of St. Patrick's and St. David's in St. Vincent, absent on leave in Barbados.

This addition will make the whole number of clergy, in January 1861, for Barbados, 44, St. Vincent 8, and for the whole diocese 81.

Of this number, three were lost to the diocese in 1861; one by death, and two by removal: whilst six were added; and on the 1st January 1862, two more were ordained; making the whole addition on that day, eight, or (after deducting the number lost) five, and the whole number of the clergy belonging to the diocese, besides the Bishop, 86.

In the Educational Statement for Trinidad, one important school, referred to in the Remarks, is omitted, that held in the Coolie Orphan Asylum, originated in the munificence of F. Burnley, Esq. The number of children under instruction in June 1861, was 59, and at the commencement of the year 60. This addition would make the whole number under school instruction in Trinidad, 2,490.

In the Summary Statement, Ecclesiastical and Educational, the following corrections are required:—

Parishes in Tobago	6
„ „ the Diocese	49
Population of St. Lucia by Census of 1861	26,708
„ „ the Diocese	343,029
Sittings in Churches in St. Vincent, &c.	4,372
„ „ Trinidad	5,353
„ „ the Diocese	43,612

Communicants:—In Tobago, those for four Parishes, not included in the Island Statement (265), are added in the Summary Statement (841)

Clergy in Barbados	44
„ St. Vincent	8
„ in the Diocese	81

In the number given for Trindad (15) the Archdeacon is included.

Church Schools.—Aggregate attendance in Trinidad	2,490
„ „ „ Tobago	1,413
„ „ „ the Diocese	17,177

In the Clergy List for the whole Diocese (which is for January 1862), the following information may be supplied:—

The Ven. G. Cummins,	ordained Deacon,	1822;	Priest, 1822.
The Rev. J. L. Gilborne	„	1846	„ 1847.
„ „ P. Le Maistre	„	1842	„ 1843.

In the same list, the letters C.M.S., denote a former missionary of the Church Missionary Society; the Society not having at present any missionaries in the diocese, though largely a benefactor to it, in Trinidad, during the transition from slavery to freedom.

— No. 8. —

No. 8.
St. Vincent.

ST. VINCENT.

(No. 208.)

Governor Walker, C.B., to his Grace the Duke of Newcastle, K.G.

COPY of a DESPATCH from Governor *Walker*, C. B., to his Grace the Duke of *Newcastle*, K. G.

Windward Islands, Barbados,
7 March 1864.

My Lord Duke,

REFERRING to your Grace's Circular instruction of the 15th of January last, I have the honour to transmit herewith a copy of a Despatch from the officer administering the Government of St. Vincent, furnishing the information required by your Grace respecting Anglican and other churches in that island.

No. 23, 23 Feb. 1864.

I have, &c.
(signed) *James Walker.*

(Enclosure.)

(No. 23.)

Sir, Government Office, 23 February 1864.

REFERRING to your Excellency's Circular Despatch, I have the honour to transmit a return prepared by the Colonial Secretary, furnishing the information required by the Secretary of State respecting the Anglican and other churches in this Colony.

I have, &c.
Governor Walker, C. B. (signed) *John J. Hughes.*

(Sub-Enclosure.)

RETURN prepared under Directions in the Circular Despatch, dated Downing-street, 15 January 1864.

1. Population of St. Vincent	31,755
2. Division of population into religious denominations:	
Church of England	13,652
Wesleyans	14,177
Roman Catholics	2,756
Presbyterians	67
Mahometans	15
Not specified	11
3. Anglican Church:	
Number of churches and chapels	15
Number attending ordinary services	4,020
Number of habitual communicants	1,270
Baptisms in 1863	986
Confirmations	474
Marriages	88
Number of daily schools in 1863	19
Number actually attending	870
Number of Sunday schools	9
Number actually attending	455
4. Roman Catholic:	
Number of churches	3
Number attending ordinary services	1,050
Habitual communicants	No information.
Baptisms in 1862	98
Confirmations	No information.
Marriages in 1862	9
Number of daily schools	3
Number actually attending in 1862	156
Number of Sunday schools	No information.
Number actually attending	—

No. 8.
St. Vincent.

Wesleyan:	
Number of chapels	12
Number actually attending ordinary services	4,670
Habitual communicants	No information.
Baptisms in 1862	234
Confirmations	No information.
Marriages	62
Number of daily schools	12
Number actually attending in 1862	1,019
Number of Sunday schools	No information.
Number actually attending	—
Presbyterian:	
Number of churches	1
Number attending ordinary services	150
Habitual communicants	No information.
Baptisms in 1863	1
Confirmations	No information.
Marriages	4
Number of daily schools	None.
Number of Sunday schools	1
Number actually attending in 1863	80

Note.—The information given under the head of No. 4, respecting the Roman Catholics and Wesleyans is for 1862, because no information has yet been obtained from these bodies for 1863.

5. Of the clergymen serving the Anglican churches and chapels, five are paid wholly from colonial funds, and three are paid principally from colonial funds; but these receive also a small sum from funds at the disposal of the Bishop of the diocese.

6. By local enactments, a fixed annual provision of 2,016 *l.* is made for the clergy of the Anglican Church, and a further vote of 100 *l.* is now annually added.

A sum of 300 *l.* per annum is given to the present Presbyterian minister, so long as he shall continue in the island, in the performance of the duties of his office.

There is no fixed grant for the Wesleyans; but they receive from time to time grants from the Legislature in aid of their funds.

A sum of 700 *l.* is annually voted by the Legislature for educational purposes, and this amount is divided as follows:

To the schools under the superintendence of the clergy of the Established Church, 425 *l.*; to the schools under the superintendence of the ministers of the Wesleyan body, 200 *l.*; and to the schools under the superintendence of the minister of the Roman Catholic Church, 75 *l.*

—No. 9.—

No. 9.
Grenada.

GRENADA.

(No. 170.)

COPY of a DESPATCH from Governor *Walker*, C. B., to his Grace the Duke of *Newcastle*, K.G.

Governor Walker, C.B., to his Grace the Duke of Newcastle, K.G.

Windward Islands, Barbados,
12 March 1864.

My Lord Duke,

REFERRING to your Grace's Circular instructions of the 15th of January last, I have the honour to transmit herewith a copy of a Despatch from the Lieutenant Governor of Grenada, furnishing the information required by your Grace respecting the Anglican and other churches in that Island.

No. 17, 1 March 1864.

I have, &c.
(signed) *James Walker.*

(Enclosure.)

Enclosure.

(No. 17.)

Sir,

Government Office, Grenada, 1 March 1864.

WITH reference to your Excellency's Circular Despatch of the 5th ultimo, requiring certain information respecting the Anglican and other churches in this Island, I have now the honour to forward a Return, which I hope will be found to contain the required information.

I have, &c.
(signed) *Rob. M. Mundy.*

The Governor in Chief,
&c. &c. &c.

RETURN called for by the Secretary of State in a Circular Despatch, dated 15th January 1864, respecting the Religious Establishments in *Grenada*, made up to 31st December 1863.

Population of the Colony.	Number connected with Churches.	Number of Churches and Chapels.	Number of Persons generally attending.	Number of Communicants.	Number confirmed at last General Confirmation.	Number of Baptisms.	Number of Marriages.	Schools. Number of Day Schools.	Schools. Average Attendance.	Schools. Number of Sunday Schools.	Schools. Average Attendance.	Schools. Total Average Attendance.	Of the Churches, Schools, &c., how many are served or superintended by Clergymen paid from the Parliamentary Grant; how many by Clergymen paid from other Funds.	What is the Provision made by the Local Legislature for the Anglican Church; and how far they are by Permanent or Terminable Grants.	REMARKS.
31,900 by census of 1861; estimated population to 31st Dec. 1863, 35,230.	**CHURCH OF ENGLAND:**														
	9,491, per census.	7 churches - 3 chapels.	1,520	971	386	609	39	13	771	3	325	1,096	- - Nil - -	528 *l.* per annum by permanent statute, and 1,148 *l.* by the Annual Supply Act, with 120 *l.* for house rent; total, 1,796 *l.*	The income of the clergy of the Church of England for the year, including fees and the allowance for rent, is estimated at 1,967 *l.* 18 *s.* 11 *d.* Grant to Schools - - - £. 420.
	CHURCH OF SCOTLAND:														
	246, per census.	1 church - 1 chapel.	About 70	57	–	7	3	1	50	1	12	62	- - Nil - -	- - - -	264 *l.* per annum under a permanent statute, as a salary to the minister, with 30 *l.* for house rent.
	CHURCH OF ROME:														
	19,337, per census.	7 churches - 1 chapel.	3,950	3,990	441	714	67	7	703	8	625	1,328	- - Nil - -	- - Nil - -	No provision is made for the Roman Catholic priests, but they are assisted in erecting and repairing their churches, presbyteries, and schoolhouses by Grants from the Legislature. Grant to Schools - - - £. 280.
	WESLEYANS:														
	1,781, per census.	4 chapels -	690	588	–	73	12	4	350	1	70	420	- - Nil - -	- - Nil - -	No provision is made for the Wesleyan ministers, but they are assisted in repairing their chapels and mission and schoolhouses by Grants from the Legislature. Grant to Schools - - - £. 140.

Samuel Mitchell, Colonial Secretary.

No. 10.
Tobago.

—No. 10.—

TOBAGO.

(No. 99.)

COPY of a DESPATCH from Governor *Walker* to his Grace the Duke of *Newcastle*, K.G.

Governor Walker to his Grace the Duke of Newcastle, K.G.

Windward Islands, Barbados,
7 March 1864.

My Lord Duke,

REFERRING to your Grace's Circular instruction of the 15th of January last, I have the honour to transmit herewith a copy of a Despatch from the Lieutenant Governor of Tobago, furnishing the information required by your Grace respecting the Anglican and other churches in that Island.

No. 19, 22 February 1864.

I have, &c.
(signed) *Jas. Walker.*

(Enclosure.)

Enclosure.

(No. 19.)

Lieutenant Governor of *Tobago* to Governor in Chief.

Government House, Tobago,
22 February 1864.

Sir,

HEREWITH enclosed I have the honour to transmit to your Excellency a Return embodying the information respecting the Anglican and other churches in this Island, which has been called for by his Grace the Duke of Newcastle, in his Circular Despatch of the 15th ultimo, received under cover of your Excellency's Despatch of the 5th instant.

I have, &c.
(signed) *J. V. Drysdale,*
Lieutenant Governor.

(Sub-Enclosure.)

ECCLESIASTICAL RETURN called for in the Secretary of State's Circular Despatch of 15th January 1864.

Population by Census of 1861.	Religious Communities.	Number attending Ordinary Services.			Number of Communicants.			Annual Number of Baptisms.			Annual Number of Confirmations.		
		Church of England.	Moravian.	Wesleyan.	Church of England.	Moravian.	Wesleyan.	Church of England.	Moravian.	Wesleyan.	Church of England.	Moravian.	Wesleyan.
15,410	Church of England, United Brethren, Wesleyans.	2,271	1,600	1,500	841	–	–	480	65	60	Confirmation takes place periodically on the visit of the Bishop, averaging in the Church of England, about once in every three years, 366 confirmations.		

Annual Number of Marriages.			Number of Day Schools.			Number Attending Day Schools.			Number of Sunday Schools.			Number attending Sunday Schools.		
Church of England.	Moravian.	Wesleyan.	Church of England.	Moravian.	Wesleyan.	Church of England.	Moravian.	Wesleyan.	Church of England.	Moravian.	Wesleyan.	Church of England.	Moravian.	Wesleyan.
32	27	10	14	12	7	677	887	516	14	6	6	866	900	651

REMARKS.—There are three rectors receiving each a stipend of 320*l.* out of Colonial funds, appropriated by a permanent local statute, Vict. 7, c. 8, entitled "An Act to divide the said Island of Tobago into three Benefices or Cures, and to provide support for the Clergy of the said Island." The clergymen of other denominations receive no salary out of Colonial funds. The allowance of 100*l.* to 150*l.* per annum is occasionally given by the bishop for a curate; and for the last few years 100*l.* has been granted by the local legislature for the same purpose, but at present there is no resident curate.

No. 11.
St. Lucia.

— No. 11. —

ST. LUCIA.

(No. 179.)

Governor Walker, C. B., to his Grace the Duke of Newcastle, K. G.

COPY of a DESPATCH from Governor *Walker*, C. B., to his Grace the Duke of *Newcastle*, K. G.

Windward Islands, Barbados,
7 March 1864.

My Lord Duke,

REFERRING to your Grace's circular instruction of the 15th of January last, I have the honour to transmit herewith a copy of a Despatch from the officer administering the Government of St. Lucia, furnishing the information required by your Grace respecting the Anglican and other churches in that Island.

No. 46, 2 March 1864.

I have, &c.
(signed) *Jas. Walker.*

Enclosure.

(Enclosure.)

(No. 46.)

Administrator of *St. Lucia* to Governor in Chief.

Sir,

Government Office, St. Lucia, 2 March 1864.

So soon as I received your Excellency's Despatch, dated the 5th ultimo, forwarding a circular from the Secretary of State, I addressed a communication to the Anglican and Roman Catholic clergy in this Colony, calling for the information which his Grace requires, and I now forward, under the several heads, the particulars obtained partly from them and from the returns sent for the Blue Book.

2. (1.) Population of St. Lucia: males, 13,962; females, 14,173; total, 28,135.
(2.) By far the greater part of the population is Roman Catholic. There are about 900 Anglicans, Presbyterians, and other denominations; but of these almost all are Anglicans.

3. As there are only Anglican and Roman Catholic churches, all Christian denominations, except Roman Catholics, attend the former.

Number of Anglican churches and chapels	3
Number who attend the ordinary services of the church	275
Number of habitual communicants	68
Number of baptisms	37
Number of confirmations	28
Number of marriages	12

The rector of the Castries Quarter holds a service also at the Morne.
There are no schools in connection with the Established Church.

4. There are nine Roman Catholic churches and two chapels; in all, 11.

Number who attend the ordinary services of the church	4,630
Number of habitual communicants (return imperfect).	
In 1863—Number of baptisms	992
„ Number of confirmations	nil
„ Number of marriages	91

There are no returns from the chapels, neither of baptisms and marriages from two of the churches.

Number of schools in connection with the Roman Catholic church	5
Number of scholars	518

It appears that only two of the clergy give religious instruction to children on Sundays; the number attending is returned by them at 95.

Number of schools (Mico)	11
Number of scholars	1,098
Average daily attendance on week-days	637

These schools are not denominational, but are open to all sects and creeds; they are not held on Sunday.

5. The Anglican churches and chapels are served by two clergymen, who are each paid 200 *l.* per annum from Colonial funds, and 100 *l.* from the Parliamentary Grant.

6. There

6. There are two Anglican clergymen, as stated in the preceding answer, No. 5, who receive 200*l.* each per annum; and nine Roman Catholic ministers, who receive 100*l.* each per annum from Colonial funds. These amounts are included in the Annual Appropriation Ordinance, and are paid from the general revenue of the Colony.

I have, &c.
(signed) *J. M. Grant*,
Administrator of the Government.

The Governor in Chief,
&c. &c. &c.

— No. 12. —

ANTIGUA.

(No. 36.)

COPY of a DESPATCH from Governor *Hill*, C.B., to his Grace the Duke of *Newcastle*, K.G.

Governor Hill to his Grace the Duke of Newcastle, K.G.

Leeward Islands, Antigua,
10 March 1864.

My Lord Duke,

I HAVE the honour to transmit the Report called for in your Grace's Circular of the 15th January last.

Mr. Baynes to Governor Hill, 9 March 1864.

2. The Bishop is absent from the island, and I am therefore unable to state the actual amount paid from the Parliamentary Grant towards the salaries of the clergy, catechists, and schoolmasters; but on his Lordship's arrival I will request him to furnish me with a general return, including all the Leeward Islands, and the same shall be forwarded to your Grace by the next mail steamer.

I have, &c.
(signed) *Stephen J. Hill*, Governor.

(Enclosure.)

Enclosure.

Colonial Secretary's Office, Antigua,
9 March 1864.

Sir,

IN obedience to your Excellency's commands, I have the honour to submit replies to the queries contained in the Circular Despatch of the 15th January last, from his Grace the Secretary of State for the Colonies.

1. The population of the Colony?

The population of Antigua, according to the census taken in 1861, was 36,412. A decrease in the native population of 1,068, appears to have taken place since that date to the 31st December last; but the introduction in 1863 of 1,298 immigrants into the Colony has raised the population to 36,642, or 230 in excess of the returns for 1861.

2. The division of the population into Anglicans, Wesleyans, Baptists, Independents, Roman Catholics, Presbyterians, and other religious communions, if any, respectively?

No return was required under the provisions of the last Census Act, showing the division of the population into the several religious denominations. The population is, however, supposed to be divided as follows:—

Anglicans	16,000
Wesleyans	7,300
Roman Catholics	900
Presbyterians	250
Moravians	12,000
Chinese, not described, &c.	192
Total	36,642

No. 12.
Antigua.

3. Of the Anglicans, the number who are habitual communicants, the number of churches and chapels, the number who attend the ordinary services of the Church; the annual number of baptisms, confirmations, and marriages; the number of schools in connection with the churches, the average number who actually attend and are taught in the schools, distinguishing daily from Sunday schools?

The Anglicans have seven churches and seven chapels, which are attended by about 3,500 persons, 1,200 of whom are habitual communicants. The number of baptisms and marriages in 1863 was as follows:—

Baptisms	861
Marriages	90

There are 23 day and 13 Sunday schools; the respective average numbers who actually attend and are taught are 1,800 and 1,100. I have been unable to give a return of the confirmations, in consequence of the absence from the Island of the Bishop, and the Archdeacon not having it in his power to furnish the information.

4. The same particulars in respect of each of the other religious divisions, so far as they can be obtained?

The Moravians have eight churches and five chapels, and the number of persons attending the ordinary service is estimated at 7,000. The habitual communicants are returned at 3,362. The baptisms and marriages number respectively 153 and 46. The schools are returned at 18 day and 12 Sunday schools, with an average attendance of those who actually attend and are taught of 1,257 day and 2,854 Sunday scholars. The Moravians also have two training institutions, one for male and the other for female teachers. In connection with the female training school, there is a day school attended by 40 children.

Roman Catholics.—The services of the Church are celebrated in a hired house in the city of St. John. The Roman Catholic pastor, having but recently arrived, cannot give any information as to the number attending the services of the Church, or of the habitual communicants. The number of baptisms and marriages in 1863 was 31 and 9 respectively. No Sunday or day schools have yet been established.

The Wesleyans have 10 chapels with an ordinary attendance of 5,300, and 2,062 habitual communicants. The baptisms and marriages in 1863 were 76 and 18 respectively. The Wesleyans have 8 day and 11 Sunday schools, with an actual attendance of 619 day and 1,043 Sunday scholars.

The Presbyterians have one church with a present attendance of 120. This church was, for the want of a minister, closed for upwards of three years, and was re-opened upon the arrival of the Rev. Mr. Smith, in November last. There have been no baptisms and marriages, and the minister reports that no schools have yet been established.

5. Of the Anglican churches, chapels, and schools, how many are served or superintended by clergymen paid from the Parliamentary grant, how many by clergymen paid from other funds?

The establishment of the Anglican Church consists of the Lord Bishop of Antigua and the Leeward Islands, who receives an annual salary of 2,000 *l.*, paid from the Parliamentary grant; the Archdeacon, who receives 500 *l.* per annum from the same fund; six rectors, each receiving 300 *l.* per annum from the Colonial Treasury; one officiating minister, who receives 225 *l.* per annum from the Colonial Treasury, and 75 *l.* from funds at the disposal of the Bishop; and six curates, three receiving 225 *l.* each, two receiving 150 *l.* each per annum from the Colonial Treasury, and one receiving 50 *l.* per annum from the private income of the rector of St. John.

The churches and chapels of the Anglican Church are served as follows:—

St. John's, one church and two chapels.—Served by a rector and three curates paid from Colonial Treasury, and one curate paid by the rector.

St. Mary, one church and one chapel.—Served by a rector (curacy vacant at present date), paid from Colonial Treasury.

St. Paul, one church and one chapel.—Served by a rector paid from the Colonial Treasury.

St. Philip, one church and two chapels.—Served by a rector and one curate paid from the Colonial Treasury.

St. Peter, one church.—Served by a rector paid from the Colonial Treasury.

St. George, one church and one chapel.—Served by a rector paid from the Colonial Treasury.

All Saints' District, one church.—Served by an officiating minister paid 225 *l.* from Colonial Treasury, and 75 *l.* from funds at the disposal of the Bishop.

The Archdeacon is unable to state, in the absence of the Lord Bishop, the amount paid from the Parliamentary grant towards the salaries of the clergy, catechists, and schoolmasters.

1,000 *l.* per annum is anuually paid from the public treasury towards the education of the

the people; 200 *l.* per annum of this sum is apportioned to the Inspector of Schools, and the remainder distributed as follows:—

	£.
Anglican Schools - - - - - - - -	332
Moravian „ - - - - - - - -	322
Wesleyan „ - - - - - - - -	146
£.	800

6. What is the provision made by the local Legislature for the Anglican Church, and for the ministry of the other religious bodies respectively, and how far they are by permanent, or by terminable grants?

The "Clergy Act" of 1861 makes permanent provision for the payment of the annual stipend of the six rectors in the Island at the rate of 300 *l.* sterling per annum each. The stipend of the Rector of St. John is, by the same Act, raised to 500 *l.* per annum, when the living is not held in conjunction with the archdeaconry.

An Act, No. 1179, passed in 1861, makes permanent provision for the payment of an annual stipend of 225 *l.* to the licensed minister of All Saints' District. And the Acts, Nos. 1168 and 1180, both of which will expire in 1868, provide for the payment of three curates for St. John's at 225 *l.* each, and of two curates, one for St. Mary, the other for St. Philip, at 150 *l.* each.

An Act, No. 676, passed in the year 1817, makes permanent provision for an annual allowance of 300 *l.*, old currency, or 133 *l.* 6*s.* 8*d.* sterling, to the minister of the Moravian Church, residing in the division of Nonsuch.

There is no provision for the ministry of the other religious bodies. Occasional grants are, however, made towards the repair and keeping up of the churches, chapels, and schoolrooms of the Dissenters. In 1863, 250 *l.* was voted to the Wesleyans for the repair of their chapel in St. John's.

I have, &c.
(signed) *Edwin Baynes,*
Colonial Secretary.

His Excellency
Colonel Hill, C. B., Governor in Chief,
&c. &c. &c.

(No. 47.)

COPY of a DESPATCH from Governor *Hill*, C.B., to his Grace the Duke of *Newcastle*, K.G.

Governor Hill to his Grace the Duke of Newcastle, K.G.

Leeward Islands, Antigua,
26 March 1864.

My Lord Duke,

As promised in my Despatch, Antigua, No. 36, of the 10th instant, I have now the honour to transmit, for your Grace's information, the report of the Bishop, forwarding tabular statements containing full particulars respecting the Anglican Church in the Leeward Islands, and which, with the information already transmitted, will, I trust, be deemed satisfactory, and meet the requirements of your Grace's Circular of the 15th January last.

23 March 1864.

I have, &c.
(signed) *Stephen J. Hill*, Governor.

(Enclosure.)

Enclosure.

Sir,

Clare Hall, Antigua, 23 March 1864.

IN obedience to your Excellency's desire, I have the honour to submit herewith two tabular statements which will, I believe, be found to contain all the information respecting the Anglican Church in the Leeward Islands required by the Secretary of State in his Circular Despatch of the 15th January last.

I regret that my absence from Antigua up to the 14th instant should have prevented me from giving earlier attention to, or indeed from receiving your Excellency's communication of 6th February. The interval, however, has not been lost, as it has afforded the archdeacon time to collect accurate returns from the clergy of this Island, and already to submit the result to your Excellency. The information thus supplied will be found embodied in the general tables for the diocese, which I have now the honour to present.

The figures in Table B., pertaining to the other islands, are in most cases derived from returns to the close of 1863. Wherever it is otherwise, it is so stated; but, even in these cases, the numbers, being taken from the returns of former years, and from notes of my visitations, will be found to be as near as possible to the truth.

No. 12. Antigua.

I may be permitted to observe that these figures do not give an adequate idea of the service rendered by the Church of England to the islands. They make no note of the constant labours alike of clergy and of lay readers among those not included in our congregations; while it is well known that the whole of the population, exclusive of that part of it formally enlisted in other religious bodies, depends on the occasional ministrations of the Established Church, from baptism to burial, and claims the visits of her clergy in sickness, even where there is utter neglect of the public ordinances of the Lord's Day.

In reference to Table A., it will not escape the notice of the Secretary of State that considerably more than half of the Parliamentary Vote is allotted to Montserrat, Anguilla, and the Virgin Islands, although the united population of these three Colonies scarcely amounts to one-sixth of that of the diocese. In the first of these, with every desire and effort on the part of the President now administering the Government to make some local provision for the education of the people, the finances of the Colony have never yet admitted of a Legislative Grant towards this object; while, in the other two, it has been only within the last three years that any contribution has been made from their respective treasuries towards the support of the schools. Of the salaries paid to the clergy in the same Colonies, in Montserrat more than one-third, in the Virgin Islands more than three-fifths, and in Anguilla the whole, is provided from funds at the disposal of the Bishop, to say nothing of the payment of lay readers. These funds, it may here be stated, consist of 1,100 *l.*, granted by Parliament, with 175 *l.* from the Society for the Propagation of the Gospel, 200 *l.* from the Society for Advancing the Christian Faith, and 62 *l.* from the Ladies' Negro Education Society.

While therefore in all the islands of your Excellency's Government the withdrawal, or even the reduction, of the grant from the Imperial Parliament would prove the most serious loss and injury to the work of Christian instruction in connection with the Anglican Church, to that work, in the smaller Colonies, which have made the hardest struggle for existence since Emancipation, it would be nearly fatal.

I might add that such a calamity would be greatly enhanced by the peculiarly depressed condition of the Leeward Islands at the present time, when the existing grants to our churches and schools are with difficulty maintained. But on this point it is unnecessary to enlarge. The measures taken by the Secretary of State to be prepared to meet the question, when raised, prove that his Grace is fully alive to the magnitude of the evil with which the Church is threatened.

I have, &c.
(signed) *W. W. Antigua.*

His Excellency Governor Hill, C. B.,
&c. &c. &c.

TABLE A.—DIOCESE OF ANTIGUA. Disposal of Parliamentary Grant for the current Year.

COLONY.	Clergy.		Lay Readers.		School Teachers.		Total receiving Stipends in each Colony.	Total Amount paid in each Colony.	REMARKS.
	No.	Amount per Annum.	No.	Amount per Annum.	No.	Amount per Annum.			
Archdeaconry of Antigua:		£.		£.		£.		£.	
Antigua	2	100	1	20	8	201	10	321	The lay reader is one of the schoolmasters.
Dominica	–	–	1	20	2	60	2	80	The lay reader is one of the schoolmasters.
Montserrat	1	40	2	60	4	78	7	178	
Archdeaconry of St. Kitts:									The other schools in these four islands receive grants from the Christian Faith Society and Ladies' Negro Education Society.
St. Kitts	1	30	–	–	2	45	3	75	
Nevis	–	–	–	–	2	36	2	36	
Anguilla	1	160	–	–	2	40	3	200	
Virgin Islands	1	160	1	50	–	–	2	210	These schools supported entirely by grants from above-said societies.
TOTAL	6	490	5	150	20	460	29	1,100	

22 March 1864. *W. W. Antigua.*

TABLE B.—DIOCESE of ANTIGUA.

COLONY.	Churches.	Chapels or Chapel Schools.	Average Attendance at Ordinary Services.	Communicants.	Confirmations, from July 1860 to February 1864.	Persons Confirmed.	Average Baptisms per Annum.	Marriages per Annum.	Day Schools.	Scholars in Day Schools.	Sunday Schools.	Scholars in Sunday Schools.	Clergy.	From what Sources Clergy derive their Salaries.
Archdeaconry of Antigua:														
Antigua	7	7	3,500	1,300	19	737	1,600	100	23	1,800	12	1,100	14	6 Rectors from Colony. 4 Curates from ditto. 2 Curates, partly from Colony, partly from Parliamentary Grant. 2 paid by rectors.
Barbuda	1	–	500	120*	2	62	20*	4*	1	200	1	220	1	From Sir William Codrington, as one of the conditions on which he holds the Grant from the Crown.
Dominica	1	–	250	152	3	51	27	4½	3	120	1	104	1	From the Colony.
Montserrat	3	1	1,350	450	8	253	222	17	9	520	6	320	2	1 From the Colony, and Parliamentary Grant. 1 From Colony and Society for the Propagation of the Gospel in Foreign Parts. 2 Readers from Parliamentary Grant.
Archdeaconry of St. Kitts:														
St. Kitts	9	1	2,500*	1,000*	11	326	650*	40	12	1,003	10	500*	8	7 Rectors from the Colony. 1 Curate, partly from rector and congregation, partly from Parliamentary Grant.
Nevis	5	–	1,500*	500*	8	149	250*	20	6	400*	4	400*	3	From the Colony.
Anguilla	1	1	300*	80	2	40	140*	12	3	270	3	250	1	From Parliamentary Grant, with 25 *l.* from Society for the Propagation of the Gospel in Foreign Parts.
Virgin Islands	1	3	250	60	5	37	102	3	3	175	3	100	1	£. 160 from Parliamentary Grant, and 100 *l.* from Colony. 1 Reader from Parliamentary Grant. 1 Reader from Society for the Propagation of the Gospel in Foreign Parts.
TOTAL	28	13	10,150	3,662	58	1,655	2,411	200	60	4,488	40	2,994	31	

Note.—Those marked thus (*) are not derived, like the others, from recent returns; they are filled up from former returns, and from notes made in my visitations. They may, however, be relied on as sufficiently accurate, being rather within the actual numbers than in excess of them.

22 March 1864.

W. W. Antigua.

— No. 13. —

MONTSERRAT.

No. 13.
Montserrat.

(No. 33.)

COPY of a DESPATCH from Governor *Hill*, C.B., to his Grace the Duke of *Newcastle*, K.G.

Governor Hill to his Grace the Duke of Newcastle, K.G.

Leeward Islands, Antigua,
5 March 1864.

My Lord Duke,

I HAVE the honour to transmit a Despatch from the President of Montserrat, affording the information called for by your Grace's Circular of the 15th January last.

President Robinson to Governor Hill, No. 8, 3 March 1864.

2. Mr. Robinson has furnished all the information within his reach, and on the return of the Bishop to Antigua the additional information required will be forwarded to your Grace.

I have, &c.
(signed) *Stephen J. Hill*,
Governor.

No. 13.
Montserrat.

(Enclosure.)

(No. 8.)

Enclosure.

Sir, Government House, 3 March 1864.

In obedience to the instructions contained in the Secretary of State's Circular Despatch of the 15th January, I have lost no time in collecting the information with which his Grace requires to be prepared, in case the "question of continuing indefinitely and at its present amount the Vote for the Church of England in the West Indies," should "be raised during the approaching Session of Parliament;" and I have now the honour to transmit my replies to the queries contained in the Duke of Newcastle's letter, and which I hope will be found explicit and sufficient.

1st. The population of Montserrat is 7,645.

2nd. The religious divisions of the population are shown below :—

Anglicans	5,569
Wesleyans	1,394
Roman Catholics	614
Not described	68
	7,645

Information required by the Third and Fourth Queries, arranged in a Tabular Form, for easy reference.

	Number of		Numbers who attend the Ordinary Services of the		Number of Habitual Communicants.	The Annual Number of			Number of Day Schools.	Average Number of Attendants at Day Schools.	Number of Sunday Schools.	Average Number of Attendants at Sunday Schools.
	Churches.	Chapels.	Churches.	Chapels.		Baptisms.	Confirmations.	Marriages.				
Anglican	3	1	1,250	60	451	222	75	17	9	461	6	319
Wesleyan	–	4	–	1,000	350	23	none	6	4	214	4	361
Roman Catholic	The Colonial Secretary has thrice applied to the Roman Catholic priest for, and I have waited until the last moment in the hope of receiving, the information required for this Return; and I regret that I am now compelled to forward the same in blank, in so far as the Roman Catholic community is concerned.											

5th. Of the Anglican churches, chapel, and schools, one church, one chapel, and four schools are served and superintended by the Rector of St. Anthony, and two churches and five schools by the Rector of St. Peter's. The clergy of the Established Church (there are but two in the island) are paid, in the following proportions, partly from the Parliamentary Grant, partly from the Colonial Treasury, and partly from funds placed at the disposal of the Bishop by the Society for the Propagation of the Gospel.

	Parliamentary Grant.	Colonial Funds.	Funds of the Society for the Propagation of the Gospel.	Total Stipend.
	£.	£. s. d.	£.	£. s. d.
Rector of St. Anthony	40	207 15 6	–	247 15 6
Rector of St. Peter	–	130 – –	100	230 – –

Note.—In addition to the sum of 40 *l.* per annum, paid to the Rector of St. Anthony from the Parliamentary Grant, two readers and four teachers receive annual salaries from the same source, amounting to 138 *l.*, making an aggregate sum of 178 *l.* from Imperial funds expended in this island.

6th. Beyond the sum of 337 *l.* 15 *s.* 6 *d.*, referred to in the foregoing reply, and which is appropriated as there shown, the local Legislature makes no provision whatsoever for the maintenance of the religious and educational institutions of the island. The amount contributed is fixed by Resolutions of the Legislature, which may be called permanent, as they cannot, I apprehend, be reversed without the concurrence of the Crown.

Immediately on receipt of your Excellency's Despatch, I forwarded a copy of the Secretary of State's letter, therein enclosed, to the Bishop of the diocese, with a request that he would supply the information required by his Grace in as ample a manner as possible; but I have since learnt that the Bishop is at present absent from Antigua; and as it is therefore probable that his Lordship's reply may not speedily reach me, I think it better to lose no time in forwarding my own answers to the queries, to be followed by the Bishop's, as soon as they shall be handed to me for transmission.

I have, &c.
(signed) *William Robinson*,
President.

His Excellency
Governor Hill, C. B., &c. &c. &c.,
Antigua.

— No. 14. —

ST. CHRISTOPHER.

No. 14.
St. Christopher.

Lieut.-Governor Sir B. Pine to the Right Hon. Edward Cardwell, Esq., M.P.

COPY of a DESPATCH from Lieutenant Governor Sir *B. Pine* to the Right Honourable *Edward Cardwell*, Esq., M.P.

St. Christopher's, Government House,
10 June 1864.

Sir,

I HAVE the honour, by direction of the Governor in Chief, to forward to you direct the enclosed statements, giving as accurately as possible the information regarding the Anglican and Roman Catholic churches, and other religious denominations, called for by the Duke of Newcastle's Circular Despatch of the 15th of January last.

2. You will see that the number of baptisms in the Anglican church is out of all proportion to the number of its members. The explanation of this is, that the people of the Dissenting denominations, who are not actual communicants, usually have their children baptized in the church; and with respect to bastard children this is invariably the case.

3. The number of Methodist attendants seems large; but the following passage, taken from the "Quarterly Review" of April 1861, is very applicable to this island:

"For the Methodists claim as their own all who can be counted at their services, whether these be regular frequenters of the chapel morning and evening, or come occasionally, or in the evening only; they overlook or ignore the fact that, in many places where the parish churches are not open for evening service, the humbler and more devout among church people are much in the habit of going wherever their own beautiful liturgy is read, or a discourse interesting from the manner of the preacher, and level with their capacity, is expected to be delivered."

I have, &c.
(signed) *Benjamin C. C. Pine*,
Lieutenant Governor.

POPULATION of the ISLAND by the last Census, 24,440.

Denomination.	Number of Churches and Chapels.	Number of Persons who attend the ordinary Services of the Church.	Number of Habitual Communicants.	Number of Baptisms for the Year 1863.	Number of Marriages for the Year 1863.	Number of Confirmations for the Year 1863.	Number Taught in		Number of Schools in connection with the Church.
							Sunday Schools.	Day Schools.	
Church of England -	11	2,460	832	744	42	151	356	947	12
Roman Catholic -	1	250	- -	62	14				
Wesleyan - - -	9	8,350	3,066	213	29	- -	1,342	802	17
Moravian - - -	4	2,350	1,272	99	11	- -	1,345	804	8

No. 14.
St. Kitts.

PROVISION made by the Local Legislature for the ANGLICAN CHURCH.

	£.	s.	d.
By Annual Grant:			
Salaries of seven clergymen	1,796	–	–
Pay of organists and sextons, with allowance for contingencies	268	–	–
Of course, not Fixed:			
On an average for repairs of churches and parsonages, and rents of the latter	500	–	–
TOTAL £.	2,564	–	–

PARLIAMENTARY GRANT.

The sum of 250 *l.* per annum is paid by Parliamentary Grant to the archdeacon, whose province also extends to Nevis, Anguilla, and the Virgin Islands.

A sum of 105 *l.* is annually expended by the Bishop out of a Parliamentary Grant, towards paying a curate, and for the benefit of schools.

Total by Parliamentary Grant £. 355.

Benjamin C. C. Pine, Lieutenant Governor.

— No. 15. —

No. 15.
Nevis.

NEVIS.

(No. 36.)

Governor Hill to his Grace the Duke of Newcastle, K.G.

COPY of a DESPATCH from Governor *Hill*, C.B., to his Grace the Duke of *Newcastle*, K.G.

Leeward Islands, Antigua,
5 March 1864.

My Lord Duke,

President Webbe to Governor Hill, No. 15, 2 March 1864.

I HAVE the honour to transmit a Despatch from the Officer administering the Government of Nevis, reporting that the returns called for by your Grace's Circular of the 15th January last, had not been yet furnished by the parochial clergy of that island, although he had received a very able and copious return from the Wesleyan superintendent.

I have, &c.
(signed) *Stephen J. Hill*,
Governor.

Enclosure.

(Enclosure.)

(No. 15.)

Sir, Queen's House, 2 March 1864.

REFERRING to the Circular Despatch of his Grace the Duke of Newcastle of the 15th of January, containing various inquiries respecting the religious establishments in this island, the number of schools, the provision made for the clergy, and other matters of a similar nature, I have the honour to inform your Excellency that on the receipt of his Grace's Despatch, I forthwith caused a full abstract of it to be transmitted to each of the three clergymen of the Established Church in this island, and to the ministers of the Wesleyan Methodists, with my request that they would furnish me at their earliest convenience with the information sought to be obtained in relation thereto by the Secretary of State. I have received a very able and copious return from the Rev. Mr. Tregaskis, the Wesleyan superintendent; but I regret to say I have not yet received any communication whatever from either of our parochial clergy. I may add that three days ago I sent to each of the clergy a second letter, pressing them to forward to me the required returns, in order that I might transmit them to your Excellency by the present mail; but I am sorry to say without any effect.

I have, &c.
(signed) *George Webbe*, President.

His Excellency
Colonel Hill, C.B., Governor in Chief,
&c. &c. &c.

No. 15.
Nevis.

COPY of a DESPATCH from the Officer Administering the Government to his Grace the Duke of *Newcastle*, K. G.

My Lord Duke, Queen's House, Nevis, 25 April 1864.

Governor Hill to his Grace the Duke of Newcastle, K.G.

BY the direction of his Excellency Governor Hill, who is now on an official tour among the islands of his government, I beg leave respectfully to transmit to your Grace the reports of the clergy and Wesleyan ministers of this island in reference to the inquiries contained in your Grace's Circular Despatch of 15th January, together with a numerical abstract compiled from such reports.

I have, &c.
(signed) *George Webbe*,
President administering the Government.

(Enclosure 1.)

Enclosure 1.

Sir, Nevis, 15 March 1864.

IN reply to your Circular Despatch of 13th February 1864, enclosing an extract from his Grace the Duke of Newcastle's Despatch to his Excellency Governor Hill, and dated 15th January 1864, I beg to say that I have replied to the questions to the best of my ability.

1st. The population of Nevis when last Census was taken was [*sic*].

2nd. [*sic*].

3rd. The habitual communicants in the parish of St. James number 75, and in St. Thomas 46. There is one church in each parish. The usual attendance in each church is about 300. The average number of baptisms in St. James is 60, and in St. Thomas 52. With regard to the annual number of confirmations, I should say they averaged 25 in each of these parishes. The marriages are in St. James on an average of 10, and in St. Thomas nine in number. There is a school in each parish in connection with the church; the average daily attendance at St. James is about 40, and on Sundays about 35. The attendance at St. Thomas's school daily is about 35, and on Sundays 40.

4th. I have no means in my power of answering this question.

5th. The clergyman of the parishes of St. Thomas and St. James is paid from Colonial funds. The teacher of St. James is paid from a Parliamentary Grant placed at the Bishop's disposal.

6th. The income derived from the Colony for the performance of the clerical duties of the parishes of St. James and St. Thomas amounts to 266 *l.*, and the Bill for providing for the payment of this amount is a permanent one.

I have, &c.
(signed) *W. Austin Sanders*,
Rector St. James, and Officiating Minister
St. Thomas, Nevis.

The Honourable John A. Ker, Esq.
&c. &c. &c.

St. James Parish, 1863.

Number of Persons attending Divine Service generally		250
Number of Baptisms:		
Males	20	
Females	36	
		56
Number of Burials:		
Males	5	
Females	4	
		9
Number of Marriages		9
Number of Schools, 1:		
Scholars, Males	30	
„ Females	15	
		45

No. 15.
Nevis.

St. Thomas Parish, 1863.

Number of Persons attending Divine Service generally		300
Number of Baptisms:		
Males	21	
Females	27	
		48
Number of Burials:		
Males	18	
Females	21	
		39
Number of Marriages		5
Number of Schools, 1:		
Scholars, Males	18	
,, Females	20	
		38

(Enclosure 2.)

Abstract of Ecclesiastical Returns: Nevis, 1863.

Population of Nevis from the Census of 1861:
Males, 4,526; females, 5,296: total, 9,822.

Anglicans	4,429
Wesleyans	5,265
Roman Catholics	25
Other forms of worship	103
	9,822

—	Average Attendance at Public Worship.	Average Number of Communicants.	Baptisms.	Confirmations.	Marriages.	Churches.	Chapels.	Day Schools.	Average Attendance at Day Schools.	Sunday Schools.	Average Attendance at Sunday Schools.	Per-centage in Relation to the whole Population, assumed to be at present 10,000.
Anglicans	1,330	483	329	121	35	5	–	5	305	5	443	About 45 per cent.
Wesleyans	2,000	650	108	–	6	–	4	9	491	9	708	About 54 per cent.

Answers to the Queries contained in the Circular Despatch of his Grace the Duke of *Newcastle*, of 15th January 1864.

5. The five parish churches are served by three clergymen, whose stipends are wholly paid out of the local revenue.

6. The rector of the parish of St. Paul, Charlestown, receives a stipend of 244*l.* 8*s.* 10*d.* per annum. The rector of the parishes of St. George-cum-St. John receives a stipend of 266*l.* 13*s.* 4*d.*; and the rector of St. James, who is also officiating minister of the parish of St. Thomas, receives for both parishes a stipend of the last-named amount. These sums are paid under a permanent Act of the Legislature.

The two Wesleyan ministers who have charge of the chapels are supported wholly by funds provided by the Wesleyan Missionary Society in England.

Nevis, 7 April 1864. (signed) *George Webbe*, President.

No. 15.
Nevis.

(Enclosure 3.)

Sir, Nevis, 7 March 1864.

In answer to your communication of the 2nd instant, I have now to reply to the several questions requested by his Grace the Duke of Newcastle:—

1. The population of the Colony?—That of this island, I believe, by the last Census was 9,000.

2. The division of each population into Anglicans, Wesleyans, Baptists, Independents, Roman Catholics, Presbyterians, and other religious communities (if any) respectively?—We have only Episcopalians and Wesleyans.

3. Of the Anglicans; the number who are habitual communicants; the number of churches and chapels; the numbers who attend the ordinary services of the church; the annual number of baptisms, confirmations, and marriages; the number of schools in connection with the churches; the average number who actually attend and are taught in the schools, distinguishing daily from Sunday schools?—We have in St. George's parish 162 church communicants. About 300 persons (West Indians) habitually attend the ordinary services of the church; the number of baptisms last year was 89; the bishop confirmed, last February 1863, 34 persons; there were only three marriages during the same period. There is one church and one Wesleyan chapel. We have one day-school, attached to the church, in which are 103 children receiving daily instruction: the average attendance is 54. One Sunday school, attended by about 150 persons.

4. The same particulars in respect of each of the other religious divisions, so far as they can be obtained?—Answered by the second question.

5. Of the Anglican churches, chapels, and schools, how many are served or superintended by clergymen from the Parliamentary Grant; how many by clergymen paid from other funds?—There is no clergyman paid by any Parliamentary Grant. I am paid by the Colony.

6. What is the provision made by the Local Legislature respectively for the Anglican church, and for the ministry of the other religious bodies respectively, and how far they are permanent or terminable grants?—The rector of St. George's receives from the Colony 133*l.* per annum, secured by an Act of the Legislature. 30*l.* is given to be divided between five Protestant churches and three Wesleyan chapels. Of the other parish, of St. John, of which I am also rector, the answers to Questions Nos. 1, 2, 3, 4, and 5 equally are applicable. In this parish there are 60 church communicants; from 150 to 200 persons generally attend the ordinary services of the church; 67 baptisms and six marriages were solemnized last year. We have one day-school, in which at present there are only 16 children. I receive also for my services in this parish 133*l.* from the Colony.

I have, &c.
(signed) *J. H. Pemberton.*

His Honor Mr. President Webbe,
&c. &c. &c.

(Enclosure 4.)

Sir, Nevis, St. Paul's Rectory, 14 March 1864.

I have to apologise for allowing your communication of the 13th ultimo to remain so long unanswered.

1. The population of this island at the last Census I find stated as 9,822 souls.

2. Of this number, 4,429 are Anglicans, 5,265 Wesleyans, 25 Roman Catholics, 83 Jumpers.

3. The communicants of this parish number 140. There is but one place of worship, the parish church: there is an average attendance of 250 souls at the Sunday service.

The baptisms last year were 30 males and 31 females. There have been five confirmations since my induction in 1854; and 47 were confirmed by Dr. Davis, first Bishop of Antigua, seven by Dr. Rigaud, and 37 by Dr. Jackson. Last year there were seven marriages. There is one parish school, at which there are 113 boys and 47 girls. At the Sunday school there are 111 males and 107 females.

4. With regard to this paragraph, I can furnish no information.

5. The clergyman is paid from the local Treasury 244*l.* and fees.

I have, &c.
(signed) *Walter Pemberton,*
Rector of St. Paul's Parish.

The Hon. G. Webbe, Esq.,
Officer administering the Government.

N. B.—In the course of 10 years I have received only one year's stipend in specie.

No. 15.
Nevis.

(Enclosure 5.)

Wesleyan Mission House, Charlestown, Nevis,
17 February 1864.

Sir,

THE following are the replies, on behalf of the Wesleyan authorities, to your Circular communication of Saturday the 13th instant, covering extract of a Despatch received by his Honor the President, through his Excellency the Governor in Chief, from his Grace the Duke of Newcastle.

1. The population of each Colony?
Answered by the following extract from the "Census of the Island of Nevis, 1861:"

Parishes.	Male.	Female.	Total.
St. Paul	624	864	1,488
St. Thomas	852	964	1,816
St. James	695	806	1,501
St. George	1,312	1,520	2,832
St. John	1,043	1,142	2,185
TOTALS	4,526	5,296	9,822

2. The division of each population into Anglicans, Wesleyans, Baptists, Independents, Roman Catholics, and other religious denominations, if any, respectively.

Answered by the following extract from the "Census of the Island of Nevis, 1861."

Parishes.	Church of England.	Wesleyans.	Roman Catholics.	Other Forms of Worship.
St. Paul	543	914	21	10
St. Thomas	905	827	1	83
St. James	771	722	–	8
St. George	1,209	1,618	3	2
St. John	1,001	1,184	–	–
TOTALS	4,429	5,265	25	103

3. Of the Anglicans, the number who are habitual communicants; the number of churches and chapels; the number who attend the ordinary services of the church; the annual number of baptisms, confirmations, and marriages; the number of schools in connection with the churches; the average number who actually attend and are taught in the schools, distinguishing daily from Sunday scholars?

Answer—(1.) All the members of the Wesleyan societies have, as such, a claim to the communion, and are thus understood to be communicants; though, of course, not all could be at each service of the communion. Omission is a contravention of rule, to be dealt with in the exercise of discipline. Exceptions to the right and requirement are also matters for disciplinary arrangement.

(2.) The chapels and other preaching places are located with a view to concentration; but chapel extension is greatly needed in some districts to accommodate the numbers who associate themselves with the Wesleyan ministry. Services are occasionally held elsewhere. The present number is four.

(3.) The annual returns to the Wesleyan Missionary Society in London, for several years past, of "the number of attendants on public worship, including church members and scholars," have been scheduled at 5,000. We are not aware of any social change requiring an alteration in the number; nevertheless, it has been deemed advisable to endeavour a revised enumeration during the current year, a measure not admissible during the extraordinary drought, sickness, and poverty of the year just closed.

(4.) The rite of confirmation is not observed amongst the Wesleyans. The number of baptisms for the year is 108. The marriages for the year are below the average. As we have remarked in our recent returns, the very extraordinary distress resulting from the drought, so severe that it was deemed advisable to proclaim solemn fast and prayer by a special exercise of the royal authority, could not but operate, in accordance with the laws indicated by the tables of the Registrar General of England, to lower the number of marriages amongst the labouring population, of which the Wesleyan societies are so largely composed in this island. And we think that the same comparative result will appear in the returns of other churches. Thus, speaking of Charlestown alone, the marriages are returned as 6; the preceding year, 11.

(5.) We

(5.) We have nine schools. The information required as to attendance, affected also in comparison with the preceding year, by drought and sickness, will be found in the following schedule:

No. 15. Nevis.

	In Sabbath Schools.		In the Sunday Schools only.	In the Day Schools.	Total Number, Deducting, &c.		
	Total.	In the Day Schools also.			Male.	Female.	Total.
Male - - - - -	348	84	264	260	524	–	–
Female - - - -	513	69	444	231	–	675	–
Total - - -	861	153	708	491	–	–	1,199

5. Refers exclusively to the "Anglican" churches and schools.

6. What is the provision made by the local Legislature respectively for the Anglican Church, and for the ministry of the other religious bodies respectively; and how far they are by permanent or by terminable grants?

Answer.—There is no provision made by the Government, whether local or imperial, for the ministry of the Wesleyans. In 1861, the local Legislature voted in the estimates 30*l.* for educational purposes, to be divided amongst the Anglican and other religious bodies. Of this sum the Wesleyans obtained the half; 5*l.* in that year, and 10*l.* in 1862; nothing since. During the years 1861–63, the Wesleyan Missionary Society expended directly, for the schools, 225*l.*, in addition to the school fees.

I am, &c.
(signed) *Benj. Tregaskis*,
Superintendent of the Wesleyan Mission.

John A. Iles, Esq.
Colonial Secretary, &c. &c.

(Enclosure 6.)

Wesleyan Mission House, Charlestown,
5 April 1864.

Sir,

Referring to the reply by the Rev. Mr. Tregaskis, to your Honor's communication of March 22nd, I beg to state that, having obtained similar information upon careful inquiry from other parts of the island, I place the number of "persons forming the congregations in actual attendance on an average at the chapels collectively," at about 2,000, and the "actual average number of persons who do in fact communicate at the chapels on the ordinary services of the communion," at 600 or 700.

I have, &c,
(signed) *W. F. Turtle.*

His Honor George Webbe, Esq.,
President, &c. &c.

— No. 16. —

No. 16. Virgin Islands.

VIRGIN ISLANDS.

(No. 39.)

Copy of a DESPATCH from Governor *Hill*, C. B., to his Grace the Duke of *Newcastle*, K. G.

Governor Hill, C.B., to his Grace the Duke of Newcastle, K.G.

Leeward Islands, Antigua,
5 March 1864.

My Lord Duke,

I have the honour to transmit a Despatch from the President conveying the information required by the Church of England and other religious bodies in the Virgin Islands, called for by your Grace's Circular, of date the 15th January last.

President Longden to Governor Hill, No. 13, 27 February 1864.

I have, &c.
(signed) *Stephen J. Hill*, Governor.

No. 16.
Virgin Islands.

(Enclosure 1.)

(No. 13.)

Sir, Tortola, 27 February 1864.

I HAVE the honour to acknowledge your Excellency's Circular of the 8th instant, enclosing the Secretary of State's Circular, dated 15th January 1864, requiring information regarding the Church of England and other religious bodies in the West Indies.

2. I received this Circular on the day after the Bishop of Antigua left Tortola; and, as he was still at St. Thomas', I communicated it at once to his Lordship, according to the desire of the Duke of Newcastle.

3. I forthwith applied to the sole minister of the Church of England resident here, and to the superintendent of the Wesleyan Mission, for the requisite information, and I have the honour to enclose copies of their answers.

4. I now proceed to answer *seriatim*, with the help of the enclosed documents, the queries put by his Grace.

1st. The population of the Colony?—According to the Census of 1861 it was 6,051, it is probably near 7,000 now.

2nd. The division of each population into Anglicans, Wesleyans, Baptists, Independents, Roman Catholics, Presbyterians, and other religious communities, if any, respectively?—There are only two recognised religious communities here, the Anglican Church and the Wesleyan Methodists; the majority are Wesleyans. They have now 1,660 full and accredited members, besides 710 children in their schools. The professing members of the Anglican Church are a minority, probably not exceeding 1,000. There are a considerable number who do not attend continuously any church, but seek the offices of the Anglican Church in the matters of baptisms, marriages, and burials, and are considered by the Bishop of Antigua to be under the spiritual care of the Anglican Church.

3rd. Of the Anglicans, the number who are habitual communicants, the number of churches and chapels, the numbers who attend the ordinary services of the church, the annual number of baptisms, confirmations, and marriages, the number of schools in connection with the churches, the average number who actually attend and are taught in the schools, distinguishing daily from Sunday schools?—Communicants, 60; chapels and churches, 4 in use; 2 in disuse, out of repair; total attendants, 250; baptisms, 102;* confirmations, 17; marriages, 3; church schools, 3; number of children on school registers, 175; average attendance, 118; Sunday schools, 3, attended only by some of the day scholars.

4th. The same particulars in respect of each of the other religious divisions, so far as they can be obtained?—Wesleyans: communicants, 1,500; chapels, 7; total attendants, 3,500(?); baptisms, 119; members admitted annually as full and accredited members (equivalent to confirmations), 123; marriages, 23; Wesleyan day schools, 5; number of children on school registers, 388; average attendance, 276; Sunday schools, 5; number on Sunday-school lists, 605 (part of these attend day schools also, *see* Mr. Edney's letter enclosed); average attendance at Sunday-schools, 288.

5th. Of the Anglican churches, chapels and schools, how many are served or superintended by clergymen paid from the Parliamentary Grant; how many by clergymen paid from other funds?—There is only one Anglican clergyman in the Colony; he receives 160 *l.* a year from the bishop, paid from the Parliamentary Grant, and 100 *l.* a year from Colonial funds. He is assisted by two lay readers licensed by the bishop, who receive 50 *l.* a year each; one is paid out of the Parliamentary Grant, the other by the Society for the Propagation of the Gospel. The schools are supported partly by a Colonial Grant, in which the Wesleyans share *pro ratâ*, and partly by the Christian Faith Society.

6th. What is the provision made by the local legislatures respectively for the Anglican Church and for the ministry of the other religious bodies respectively, and how far they are by permanent or by terminable grants?—For the Anglican minister 100 *l.* a year, by a local ordinance that provides also for other branches of the public service. It is a permanent ordinance in the sense of not being annually re-enacted, but, of course, is liable like any other law to amendment or repeal. No public provision is made for the Wesleyan ministry.

5. In the above answers, the numbers of baptisms, marriages, and confirmations (or admissions as members of the Wesleyan Society) are given from an average of the last three years.

6. The returns of schools are of their present state, there having been a large increase during the last year consequent upon an increase in the Colonial Grant for education. This

* See Explanatory paragraph at the end.

This grant is divided among the Church and Wesleyan schools, in proportion to the average daily attendance at such schools.

7. The Anglican churches and chapels stand on freehold lands vested in the bishop, and are repaired and kept up at the expense of the Colony. The Wesleyan places of worship are held as the property of the Wesleyan Society, and are not kept up at the public expense.

8. In the case of a little colony struggling under such difficulties as we do here, the withdrawal of the assistance (in all 210*l.* a year) given by the Imperial Government to the cause of religious instruction, would be a grievous loss to the poor labouring population. It would be impossible to retain the services of an Anglican clergyman for the Colonial allowance of 100*l.* a year, and there are no means at present of increasing that allowance. The public worship of the Church of England would therefore be discontinued, and the Church schools would, probably, rapidly deteriorate when deprived of the superintendence of a clergyman. If the void thus left were likely to be filled by the Wesleyan Methodists (however much I might privately as a member of the Church regret the circumstance), I could not officially say that it would produce any evil. But the Wesleyans, numbering in their Society (including children) 2,370 souls, or about a third of the population, already deplore the inadequacy of their means. The Wesleyan ministers in their Report to the Parent Society for 1863, say, "In this large society some members are not living in the full enjoyment of their Christian privileges. Our people at the west end require more ministerial attention, but this they cannot have with only two preachers stationed in the Virgin Islands. We cannot visit them more than one Sabbath in the month." Of Virgin Gorda they say, "Many of the members are away for months, and in their absence we have no person to conduct the public service on the Lord's Day." Of Anegada they say, "The expense of visiting the distant island of Anegada, and the claims of other societies on our Sabbath-day labours prevent us from going there more than once in the quarter." It is not unimportant to observe that the Wesleyan ministers refuse, on principle, to baptize illegitimate children, and, therefore, all such children are baptized into the Anglican Church.

9. Many causes, which it is unnecessary to enlarge upon, have reduced the church here to its present state of depression, but, without interfering in the remotest degree with the zealous work of the Wesleyan ministers, there is a large field for exertion open for the Church among those, comprising nearly half the Colony, who are not included among the congregations either of the Anglican or the Wesleyan Church.

I have, &c.
(signed) *J. R. Longden*,
President Virgin Islands.

His Excellency Governor Hill, C.B.
&c. &c. Antigua.

(Enclosure 2.)

The Reverend *Jas. Edney*, Superintendent of the Wesleyan Societies in the Virgin Islands, to Mr. Colonial Secretary *Porter*.

Wesleyan Mission House,
23 February 1864.

My dear Sir,

I HAVE had the honour of receiving your communication respecting the statistical information required by the Secretary of State.

In reply to your inquiries, I have to premise that the statements which follow refer to and include all the Wesleyan Societies and schools in the Virgin Islands under my care.

1. The number of members who are habitual communicants, includes all the members of the society, for every member is regarded as a communicant, and expected to attend the Sacrament of the Lord's Supper; but, allowing for some who are young, and others who do not regularly communicate, I should say the number of habitual communicants is 1,500.

2. The number of chapels at which we have regular public service is seven. We have also several other places where our people meet together for prayer.

3. We have no means of ascertaining the precise number of persons who attend our public services, but from calculations which I have made I have come to the conclusion that the number is about 3,500.

4. The average number of baptisms is 119.

5. The number of full and accredited members is 1,660. The number of persons admitted annually into the Society as "full and accredited members," is 123.

6. The annual number of marriages is 23.

No. 16. Virgin Islands.

7. The number of day schools is five.

8. The number of children on the day-school registers is: boys, 186; girls, 202; total, 388.

9. The average attendance of day-school children is 276.

10. The number of scholars on the Sunday school lists is: boys, 235; girls, 370; total, 605. Average attendance, 288. Total number of children in the day and Sunday schools is 993; 283 of the day-school children attend the day and Sunday schools, so that the number of attendants at the day and Sunday schools, deducting for those who ttend both schools, is 710.

I remain, &c.
(signed) *James Edhey.*

G. H. Porter, Esq.,
Colonial Secretary.

N.B.—The answers to inquiries 4, 5, and 6, are based on the average of the last three years.

(signed) *J. E.*

The Reverend *C. R. Chaplyn*, Minister of the Church of England, to Mr. Colonial Secretary *Porter.*

Sir, Tortola, 26 February 1864.

In reply to your letter of the 22nd instant, asking for information as to the present state of the Church of England in this Colony, I have the honour to inform you,—

1. That the number of Church communicants is about 60.

2. The number of churches in the Virgin Islands available for divine service is four; one in Road Town, one in Kingstown, one at Sea Cow Bay, in the island of Tortola, and one in Virgin Gorda. There are besides in Tortola two churches, one at Mount Healthy out of repair, and one at Windy Hill in ruins.

3. The number of adults attending the ordinary services of the Church is about 250.

4. The annual number of baptisms is 102.

5. The average number of persons confirmed is 17.

6. The annual number of marriages is three.

7. The number of schools in connection with the Church is three; one at Road Town, one at Kingstown, one in Virgin Gorda.

8. The number of children on the school registers is about 175.

9. The average attendance is 118.

10. The number of Sunday schools is three, but no scholars attend except those who belong to the day schools.

11. One clergyman (receiving 160*l.* a year from the Parliamentary Grant) superintends the whole parish, assisted by one lay reader in Tortola (with a salary of 50*l.* a year from the Parliamentary Grant), and another lay reader in Virgin Gorda paid by the Society for the Propagation of the Gospel in Foreign Parts. The schools are supported partly by a Colonial Grant and partly by the Christian Faith Society.

I have, &c.
The Colonial Secretary. (signed) *G. R. Chaplyn.*

—No. 17.—

No. 17. Dominica.

DOMINICA.

Lieut. Governor Price to his Grace the Duke of Newcastle, K.G.

Copy of a DESPATCH from Lieutenant Governor *Price* to his Grace the Duke of *Newcastle*, K.G.

Government House, Roseau,
My Lord Duke, 26 March 1864.

I have obtained leave from the Governor in Chief to transmit direct to your Grace the Returns called for in your Circular Despatch of 15th January, rather than incur the risk of their being too late for your use in the anticipated debate in Parliament.

2. I therefore

2. I therefore now have the honour to forward reports from Dr. Poirier, the Roman Catholic Bishop of Roseau, the Wesleyan Superintendent Minister, Mr. Garry, and Mr. Roper, the Rector of St. George's parish, in which the various points alluded to in the Circular are fully remarked on.

3. The population of Dominica in 1860 was 25,065; of these 11,830 were males and 13,235 females; and as many as 10,648 of both sexes were under 16 years of age.

4. It is impossible for me to test with any accuracy the figures supplied to me by the various pastors, but I do not doubt that about 22-25ths of the population are Roman Catholics, and the rest may be represented by about 1-25th of Anglicans and 2-25ths of Wesleyans. These calculations are, approximately, probably correct.

5. The rector of St. George's is the only Anglican clergyman here. He is paid by the Colony, but he receives from the bishop, I believe, 80 *l.* annually towards the maintenance of schools out of the Parliamentary Grant to the diocese. There is no annual provision whatever for either the Roman Catholics or Wesleyans made by the local legislature.

6. There are usually two Wesleyan ministers resident in Dominica, and there may be about 12 Roman Catholic priests, exclusive of the bishop and vicar general.

7. Your Grace will perceive, therefore, that so far as the vote for the Church of England is concerned, Dominica benefits by it to the extent of 80 *l.* only, the whole of which is, I conclude, absorbed by the Anglican schools.

I have, &c.
(signed) *J. Price*,
Lieutenant Governor.

(Enclosure 1.)

RETURNS of the Catholic Church in *Dominica*.

Number of Persons ordinarily attending Divine Service.

Parochial Churches.

1.	Roseau		2,000
2.	St. Paul	Mahaut	500
3.	St. Joseph		550
4.	St. Peter	Colihaut	700
5.	St. John	Portsmouth	800
6.	St. Andrew		700
7.	St. David	La Plaine	600
8.	St. Patrick	Grand Bay	800
9.	St. Mark	Souffrière	500
10.	St. Luke	Point Michel	500

Chapels of Ease.

1.	Colibistry	St. Ann	300
2.	Joucary	St. Anthony	250
3.	La Soie	St. Marie	225
4.	Riviere	St. Raymond Caribees	250
5.	Castle Bruce	St. Réné	360
6.	Rosalie	St. Rosalie	400
7.	Victoria	St. Charles	300

No. II.—Number of habitual Communicants.

Generally one-third in each parish, in some about half; in Roseau, 2,000. Of course the number varies according to the season and the festivities of the year; but there is always a good number every Sunday in each parish who approach the Sacred Table. In the town the number is from 100 to 200, and from 300 to 700 on feast days.

No. III.—Number of Baptisms.

In 1862 there were 845; in 1863 there were 789, of which 327 illegitimate children.

No. 17.
Dominica.

No. IV.—Number of Confirmations.

In Dominica, in 1863, 408.

No. V.—Number of Marriages.

In 1863, 185, of which 68 of persons living already in sinful connection.

No. VI.—Number of Schools.

1. Daily Schools for Girls.

1. Boarding and Half-boarding School	25
2. Orphanage	52
3. Poor School (Trained by religious ladies from Norwood, Surrey.)	150
4. In Charlotte Ville	60
5. In Balahon or New Town	40
6. In Pointe Michelle	85
7. In Souffrière	48

2. For Boys.

8. In Roseau (All kept at the private expense of the bishop.)	145

2. Sunday Schools.

One in each parish for the whole congregation every Sunday, by the incumbent pastor. One by the same, every week for children attending schools, and for persons preparing for their first communion. Besides, there are several persons appointed and approved by the bishop in every parish, and in each section or quarter thereof, to teach prayers and Christian doctrine every night after daily labour, and to assemble the people, and read the Sunday prayers in the churches and chapels of ease when and where there is no priest. In each parish, also, there are some associations or confraternities for the maintenance of true piety and the support of good works. In Roseau there are three:—

The Society of "Our Redeemer," which numbers	110
Society of "St. Joseph," for men only	130
Society of "Our Lady"	824
Society of "Perseverance," for young ladies after their first communion	150

All regular communicants, 1,199; all assembling every Sunday under the direction of one of the clergy, at different hours and in different places.

N.B.—Should the figures recorded in the foregoing return be found rather high, it must be kept in mind that the population of Dominica is, exactly, 700 members of the Church of England, 2,300 Methodists, 22,000 Catholics.

Roseau, 3 March 1864. (signed) ✠ *R. M. Charles Poirier,*
Bishop of Roseau.

P.S.—I want to remark, that the number of persons ordinarily attending divine service affixed to No. I. is the lowest on Sundays, but it is the double on many occasions; and generally there are but few who neglect to go to church when they are not prevented by bad weather.

Roseau, 3 March 1864. (signed) ✠ *R. M. Charles Poirier,*
Bishop of Roseau.

(Enclosure 2.)

Schedule of the Wesleyan Church for 1863.

Number of Day-school Scholars	187
Number of Day Schools	4
Number of Sunday-school Scholars	365
Number of Sunday Schools	6
Number of Communicants	739
Number of Marriages	3
Number of Baptisms	7
Number of Persons in the Colony ordinarily attending the Wesleyan Chapel Service	1,500

(signed) *Walter P. Garry,* Superintendent.

No. 17.
Dominica.

(Enclosure 3.)

Sir, Dominica, 8 March 1864.

In reply to your communication of the 20th ultimo, I have the honour to state, for the information of his Excellency the Lieutenant Governor, that the number of persons ordinarily attending the Anglican Church services, if we take into account those who attend the afternoon or evening services, but are not present at the morning service, is about 250.

The number of communicants on the list for the past year was 152.

The number of persons confirmed during the past five years was, in 1858, 33: in 1860, 13; in 1862, 14; in 1864, 24.

The average annual number of baptisms for the last 10 years is 273.

The average annual number of burials for the same period is 31·6.

The average annual number of marriages for the same period is 4·5.

There are three day schools in connection with the Church, and the number now under instruction in the boys' school, 48; in the girls' school, 32; and in the infant school, 40.

There is a Sunday school in which there are under instruction: boys, 44; girls, 60; total, 104.

It should, perhaps, be remarked that there is only one clergyman of the Church of England in the whole island, and he is stationed in the town of Roseau. The members of the Church, therefore, who are in the more distant parishes, although availing themselves of her ministrations in the baptism of their children, or when visiting Roseau, cannot ordinarily attend the services. This tends to make the congregation less than they otherwise would be.

I have, &c.
(signed) *W. T. Roper,*
Rector of St. George's.

W. H. M'Coy, Esq., Colonial Secretary,
&c. &c. &c.

WEST INDIES.

COPY of PAPERS relating to the State of various Religious Bodies in the *West Indies*, in Return to a CIRCULAR issued to the Governor of the WEST INDIA COLONIES in 1864.

(*Mr. Adderley.*)

Ordered, by The House of Commons, *to be Printed,*
10 *May* 1867.

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